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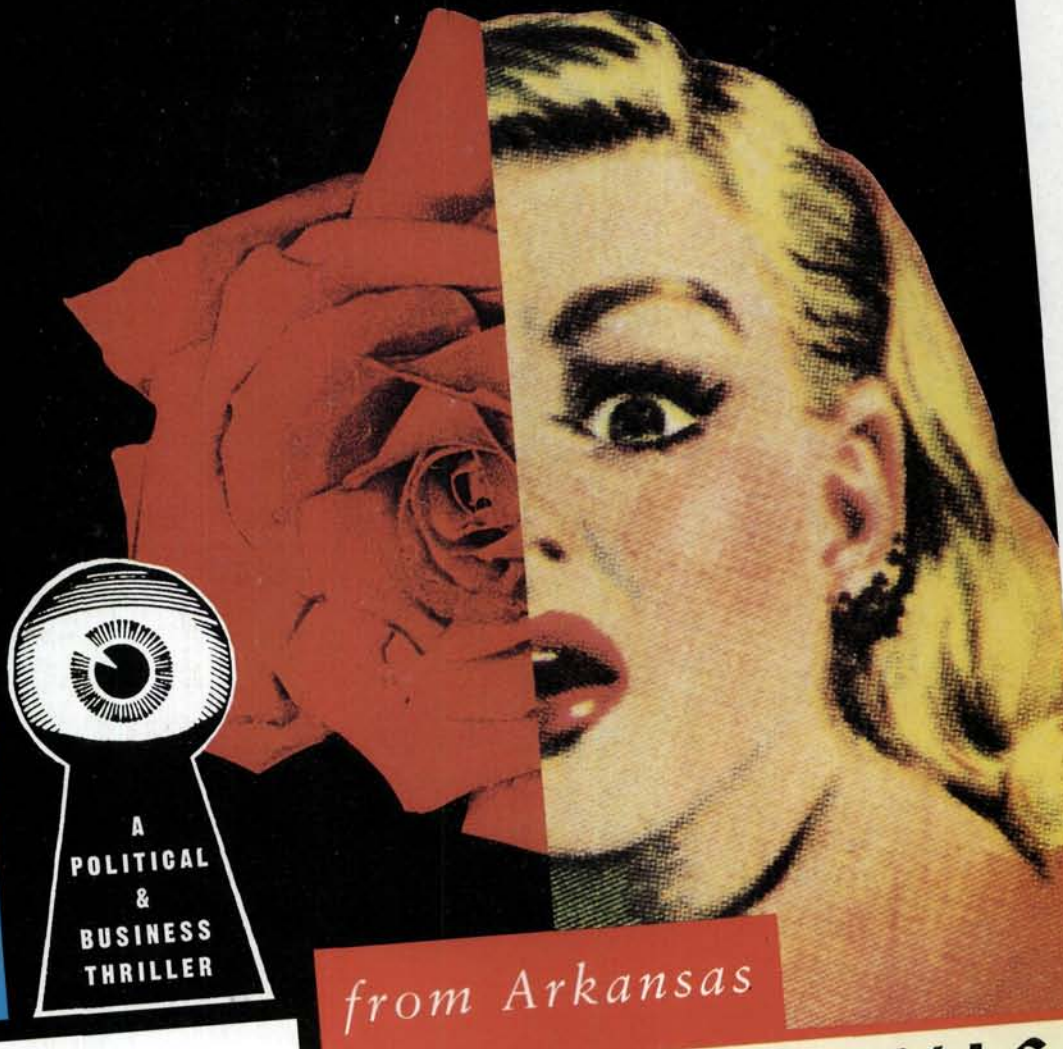

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from Arkansas

L. J. DAVIS.

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APRIL 4, 1994

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CORRESPONDENCE

Improving the planet

To the editors:

Charles Lane's March 7 assessment of the strengths and limitations of Strobe Talbott ("The Master of the Game") is uneven and often removed from the context and framework of contemporary foreign policy-making. Lane's statement that "the end of the cold war wrecked Talbott's worldview, as it did everyone else's" hardly gets at the effect that the post-cold war period has had on U.S. diplomatic frameworks, purpose, vision and processes.

We are groping toward the twenty-first century with a foreign policy that Strobe Talbott was instrumental in creating—"The Policy of Enlargement." Instead of focusing overwhelmingly on Talbott's attachment to things Russian, his writings on elites or the journalistic expertise he developed at *Time*, Lane should be helping to elucidate the limitations in Talbott's current policy. In particular:

Talbott's focus on trade and market capitalism, while pragmatic, is difficult for most Americans to understand and almost impossible to mobilize public support behind.

Talbott thus far has made little linkage between domestic policy concerns and foreign policy solutions.

Talbott imposes a management model in foreign policy emphasizing efficiency, markets and economy but says little about U.S. leadership, moral imperatives or improving the planet.

DR. ELLEN CANNON
Chicago, Illinois

Snickers

To the editors:

You folks are a bunch of jerks for publishing Mark Leyner's satire, "Oh Brother" (March 14). Let me tell you why.

I've been a subscriber for many years and I read your magazine every week from cover to cover. I assume that your articles represent truth. I am also a professor of business ethics at the University of Wisconsin–Madison and often use your articles as examples of topics we cover in the business school's required "Political, Ethical and Legal Environments of Business" class.

Recently we discussed the concept of "conscience" and why people have different levels of conscience. Then I read your magazine and thought this particular article was a fine example of a lack of conscience in terms of parents, children and the legal profession, and distributed the article for students to read.

Soon after that, a lawyer enrolled in the course, who spent a considerable amount of his valuable time tracing this case, informed me that the article was satire. He pointed out some "obvious" clues that I obviously overlooked. Your editorial offices responded that I should have realized it was a satire because of the reference to "fantasy" on your cover. The only pages I pay no attention to are your cover and advertisements.

I don't want, nor have the time, to check all of the supposed facts in all of your articles. You've done a great disservice to both your readers *and writers*. I hope that the few snickers you, and other readers who were more suave than I, got out of the satire were worthy ones.

DENIS COLLINS
Madison, Wisconsin

Unbalanced

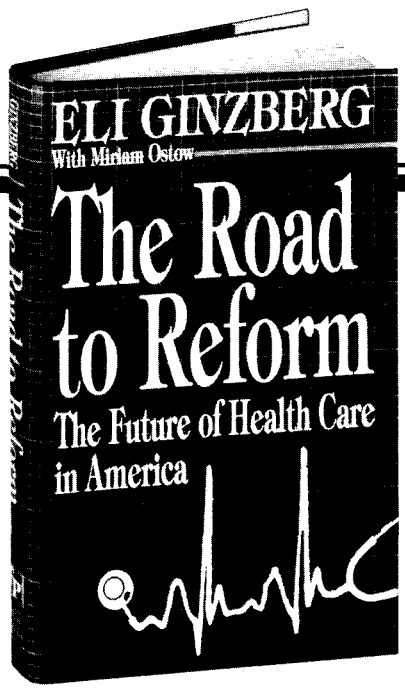
To the editors:

Bravo to Michael Kinsley for his advocacy, however cautious, of the balanced budget amendment. I'd like only to supplement Kinsley's rather diffident assessment—"The deficit imperils America's long-term prosperity"—with the more urgent words of David Hume's *Of Public Credit* (1752). Hume, the least alarmist of political thinkers, nonetheless asserted: "The most sanguine imagination cannot hope either that this or any future ministry will be possessed of such rigid and steady frugality as to make a considerable progress in the payment of our debts.... [The consequence] must, indeed, be one of these two events: either the nation must destroy public credit, or public credit will destroy the nation."

ADAM POTKAY
Williamsburg, Virginia

To the editors:

Michael Kinsley correctly refuted arguments on both sides of the balanced budget amendment debate ("Dream Come True," March 7), but he missed the main point. A balanced budget amendment is not "a new disciplinary mechanism." It is the same old political sham: look tough to avoid being tough. It would not only fail to promote fiscal



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discipline but would encourage more of the irresponsibility that helped to create and perpetuate the deficit.

California's experience is instructive. When the economy plummeted here, our constitutional requirement of a balanced budget prompted the politicians to fudge the figures. Then they just gave up. Unable to hide the truth any longer, they accepted an openly unbalanced budget as less painful than the alternatives. The lesson ought to be clear: no constitutional edict to balance the budget will bolster a lack of political ability or will to get the job done.

JEREMY FRIEDLANDER
San Francisco, California

Adams family values

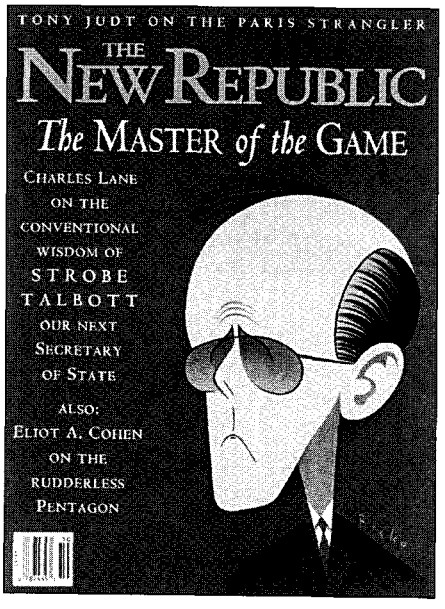
To the editors:

Despite being an Irish-American Catholic who saw *In the Name of the Father* twice, I have managed never to fall in love with the IRA, nor with its rock-star pallbearer, Gerry Adams. But I am far less enamored of traveling columnists who belittle "the Troubles" in Northern Ireland because they aren't bloody enough ("The Troubles" by Jonathan Stevenson, March 7). I'm sick of reading how we should all calm down because the terrorists aren't numerous (terrorists rarely are), or how the Irish Republic can't afford to keep the North in its current dole-drunk style (neither can Britain). But what really bothers me is the insinuation that innocents can be slain, human rights suspended and none-too-ancient history forgotten if the slaying, suspending and forgetting are done in a place where you can get an O.K. bottle of wine. No, Belfast is not Bosnia. But the Troubles *are* troubles—and ones worth writing (seriously) about.

TISH DURKIN
New York, New York

To the editors:

Jonathan Stevenson mentions the "suppressed realities" of "the Troubles" in the north of Ireland. Not surprisingly, Stevenson's article is a contribution to such realities. Aside from several rather crass attempts to belittle the severity and suffering of the conflict (for example, "the Troubles animate otherwise isolated and ordinary lives"), Stevenson exaggerates to prove his points. We are told that the man who allegedly fooled Bill Clinton with his "facade" and was able to get into the States on a forty-eight-hour visa "did hard time for terrorist bombing in the '70s." The truth is that Gerry Adams, president of Sinn Fein and the man in question, has never been convicted of anything and that the "hard time" he did in the '70s was spent both in the cages of Long Kesh and on the *Maidstone* (a prison ship) along with the hundreds of other nationalist internees. Stevenson also states that "at most, 20 percent of the Catholic population vote Sinn Fein," when, in fact, at its lowest, Sinn Fein still polled more than 25 percent of the nationalist vote in the Six Counties (1989 E.C. elections). In May of last year Sinn Fein polled more than 36 percent of the nationalist vote in the district council elections, gained eight seats and remained the largest nationalist party in the Belfast City Council. And Belfast embodying a "civil society in full bloom"? A quick look into the legal system in the Six Counties or into the powers of those who "overpolice"


TONY JUDT ON THE PARIS STRANGLER
THE
NEW REPUBLIC
The MASTER of the GAME
CHARLES LANE ON THE CONVENTIONAL WISDOM OF STROBE TALBOTT OUR NEXT SECRETARY OF STATE
ALSO:
ELIOT A. COHEN ON THE RUDDERLESS PENTAGON

Belfast (this, of course, being just the tip of the iceberg) shows quite the opposite.

STUART ROSS
Chicago, Illinois

Subacute

To the editors:

The biographical evidence Lee Rust Brown initially offers to characterize Melville as "Representative Man" ("The Promise of Failure," February 28) repeats an often cited but incorrect assertion. Allan Melvill, the author's father, did not die of insanity. Nor was his mental incapacity brought on by the economic turbulence of the Jacksonian era. Rather, he was a healthy 49-year-old man who was returning from a business trip in the winter of 1831. The weather was intensely cold, two degrees below zero, as he made his way in an open wagon and then crossed the Hudson on foot. On arriving home he developed a subacute illness lasting three weeks that was characterized by an altered mental state that included hyperexcitability, insomnia, confusion and finally death. Although the exact cause of his death remains unknown, it is clear that his illness was biological, not psychological.

Because both insanity and the father/son relationship play significant thematic roles in Melville's work, it is important to get the facts as straight as we can. An author who teaches us so much about ourselves demands that we learn as much about him as possible.

SUSAN WEINER, PH.D.
WILLIAM J. WEINER, M.D.
Coral Gables, Florida

Privilege

To the editors:

Andrew Sullivan's February 21 Washington Diarist ("Wouldn't Normally Do") ponders the question of whether the AIDS pandemic has been a tragedy or privilege for gay men. Oliver Wendell Holmes in an 1884 Memorial Day speech spoke to the carnage of the war between the states and saw the experience of death as a privilege: "The generation that carried on the war has been set apart by its experience. Through our great good fortune, in our youth our hearts were touched with fire. It was given to us to learn at the outset that life is a profound and passionate thing."

Gay men today understand Holmes's sentiments. Like America in 1884 the gay community is only now coming to grips with the meaning of AIDS. Hopefully that meaning will include the cry of "never again." Perhaps Generation X will, with AIDS in mind, begin to resolve that other American epidemic of youthful death, that of African American men from guns.

M. GRAVES SPICER

Smug

To the editors:

I was glad to read your Notebook piece ("Facts for Quacks," March 7) picking apart the smug T.V. spots on health care sponsored by the League of Women Voters Education Fund and the Henry J. Kaiser Family Foundation. Yet, seven pages later, I saw the print version of the very same T.V. advertisement. Some contradiction, surely? Or are you subtly emphasizing that a fool of a foundation and its money are soon parted?

CHRISTOPHER J. STEPHENS
Washington, D.C.

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FROM WASHINGTON

Ox-goring festival

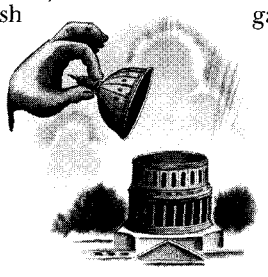
Like all good Clinton supporters, I have been wracking my poor brain for weeks now, trying to think of plausible reasons why there should not be congressional hearings on Whitewater. Hmmm ... let me see ... reasons why there shouldn't be Whitewater hearings.... Would interrupt the afternoon soaps? Congressman Jim Leach is running out of sanctimony? Heck, I give up. This is more of a job for David Letterman than for a serious political pundit.

Evidently congressional Democrats are having no more success than I am. The one argument they've come up with, and repeated ad nauseam, is that hearings would interfere with the criminal investigation by special prosecutor Robert Fiske. Fiske himself is no doubt sincere in advancing this argument, but the Democrats are being comically disingenuous. It's true enough, as the Democrats point out, that it was the Republicans who wanted the appointment of a special prosecutor in the first place. But it's equally true that the Democrats *didn't* want one. Now Fiske is their hero.

The politics of Whitewater are full of such reversals. Positions on issues such as hearings and special prosecutors inevitably depend on whose ox is gored. This is Washington's first great ox-goring festival since the Democrats reoccupied the White House, and politicians of both parties are struggling with their new lines. The Democrats' embarrassment is obvious. But the Republicans' embarrassment deserves some dwelling upon, too.

Let's go to the videotape. It's December 1986. The Iran-contra scandal has just broken. Bob Dole is enjoying his last moments as Senate majority leader, following the Republican loss of the Senate in the November elections. Did Dole support hearings to investigate Iran-contra? Well yes, he did. Dole cannot be caught out on this one. But Dole actually called for a special session of Congress to arrange for "Watergate-style" joint hearings on Iran-contra. Whaddaya know.

However, Dole and the Republicans were insistent that key witnesses should be given immunity from prosecution for their testimony at these hearings. Immunity ultimately let Oliver North and John Poindexter off the hook for their crimes. Republicans said at the time that immunity was the only way to get to the bottom of the story, and therefore the issue was a test of good faith. A senior Reagan White House official said Democrats opposed giving immunity "because they want the crisis to persist." This time around, the Republicans are equally adamant that witnesses should *not* be given immunity in any hearings. (It might be argued that they learned their lesson the last time, except that few Republicans expressed any chagrin when North and Poindexter got off. Quite the opposite. They used that as an occasion to bash the special prosecutor, Lawrence Walsh.)



In Iran-contra the president's supporters were worried about serious criminality, and so they wanted congressional hearings—with immunity—to trump the prosecution. In Whitewater the president's supporters are more worried about the constant drip-drip-drip of embarrassing revelations, so they would rather have the prosecution trump the hearings.

Republican hypocrisy has been most comical on the subject of the special prosecutor. There was no choice back during Iran-contra—the law forced the appointment. But throughout the Reagan-Bush years Republicans opposed the special prosecutor law, even arguing that it was an unconstitutional infringement on executive power. In 1992 they blocked its renewal. But they clamored for a special prosecutor when Whitewater came along. Because the law has expired, Fiske is a pseudo-special prosecutor, appointed by Attorney General Janet Reno rather than by a federal judge. For this reason his independence is sneered at by the very folks who made true independence impossible. Democrats and the Clinton administration have been absolutely consistent on this one: they have always supported renewal of the special prosecutor law.

The Republicans are right—now—when they say that a special prosecutor's investigation is not sufficient because raw criminality is not the only issue. There are questions of ethics and public policy, too, which go beyond the prosecutor's brief. That's a good reason to hold hearings. But let's not forget how, during the 1980s, Republicans would turn the special prosecutor's decision not to prosecute into a claim of total vindication. Ed Meese is the leading example. If Fiske decides not to prosecute, say, Hillary Clinton, we can expect the White House to declare the issue settled and the Republicans to point out (truly, but belatedly) that proof beyond a reasonable doubt of actual criminal behavior is not the only relevant question.

It is understandable, in a way, that intellectual consistency does not rank high in Republican concerns in Whitewater. Their attitude seems to be, "You guys did it to us. Now we're doing it to you." There have even been Godfather-like suggestions that once both sides have been bloodied there can perhaps be a truce in the scandal wars. But the "now we're even" argument contains an implied moral equivalence (to exhume a fashionable 1980s term) between Whitewater and Iran-contra or Watergate. The deal seems to be: if we admit with a sheepish grin that we're making too big a deal out of Whitewater, will you admit the same about Iran-contra? It's a bad deal. There is no comparison.

One final role reversal deserves note. Several conservative commentators, and even the politically indeterminate Joe Klein of *Newsweek*, have taken up the theme that Whitewater is the Clintons'—and especially Hillary's—deserved comeuppance for their smug self-righteousness and Manichean worldview, which are deemed to be special sins of liberals. George Will writes of the Clintons' "punctured moral vanity," which they acquired as "children of the 1960s." Klein says "the liberal elite ... divides the world between us and them, the high-minded and the greedy." And so on.

Well, I do not recall Reagan and the triumphant Republicans of the 1980s as great avatars of political toleration and moral relativism. I remember quite a bit of "us and them"—"them" being "liberals" who know nothing of ordinary Americans, care nothing for the nation's defense against communism and would wreck our precious prosperity with their big-government schemes. Marginalizing the opposition—portraying them as beyond some legitimate sphere of discourse—was and remains a standard Republican rhetorical tactic. Hillary Clinton has never accused her political opponents of being unpatriotic—a regular theme (usually, but not always, just below the surface) of Republicans in those years.

Bipartisan joint congressional hearings on the subject of moral vanity would be very interesting indeed. And no one gets immunity.

MICHAEL KINSLEY

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THE NEW REPUBLIC

APRIL 4, 1994

S&L HYPOCRITES

In Washington these days, as a small-time S&L scandal refuses to lie down and expire, the partisanship has intensified. "Being attacked on ethics by Al D'Amato is like being called ugly by a frog," says Democratic National Committee Chairman David Wilhelm, responding to Republican calls for congressional hearings. For their part, the Republicans, from the sanctimonious Jim Leach to the unsanctimonious Al D'Amato, have been competing for the screechiest insult to throw toward the president and the First Lady. The truth is, however, that when it comes to S&L sleaze, the Clintons look clean in this company.

First, the GOP. Senator D'Amato, his party's designated ethics watchdog, calls White House contacts with Resolution Trust Corporation officials "incredible," and claims to be "outraged," accusing the Clintons of foisting "lies" and "distortions" on the public, and of entering into "secret cabals" and "cover-ups." This from a man who, during the 1980s, strong-armed the Pentagon into helping Wedtech—a Bronx firm that used bribery and fraud to win big defense contracts—after the company illegally contributed $30,000 to his re-election campaign; who dropped his opposition to corporate takeovers financed by junk bonds after receiving more than $70,000 in campaign gifts from junk-bond peddling Drexel Burnham Lambert; and who used his position to bestow defense contracts on Unisys Corporation, a company that contributed to his campaign and employed his brother, Armand, as legal counsel. At the time, D'Amato swatted aside calls for Senate Ethics Committee hearings as "ridiculous." The committee investigated anyway; after a two-year inquiry, it meekly slapped D'Amato on the wrist, chiding him for running his office in an "improper and inappropriate manner." Still, D'Amato refuses to release a copy of the committee's complete report, telling NBC's Lisa Myers on March 13 that such openness was not "standard procedure."

Then there's Senator Phil Gramm, who went on "Nightline" last week to announce that Clinton was careening toward impeachment: "If the president wants to serve this term out, he's going to have to ... put all his dirty linen on the table." Of course, that's not what Gramm did with his own S&L dirty linen. In 1992 he was criticized for arranging meetings between a troubled Dallas S&L executive and federal regulators after the executive picked up more than $58,000 worth of building expenses on Gramm's waterfront vacation home. At the time Gramm told reporters his actions were "nothing out of the ordinary" and warranted no further investigation.

"If hypocrisy were gold, the Capitol would be Fort Knox," Senator John McCain proclaimed on March 11, condemning congressional Democrats' reluctance to hold Whitewater hearings. This from someone who denounced the "feeding frenzy" after his ties to S&L kingpin Charles Keating were made public. McCain had approached federal regulators on Keating's behalf after Keating contributed $124,000 to his House and Senate campaigns.

Sleaze-tinged Republicans clamoring for Clinton's scalp aren't the only hypocrites. Three of the president's most prominent Democratic defenders would be far more credible if they themselves weren't under an S&L cloud. Senate Banking Committee Chairman Don Riegle, for one, is a primary holdout against hearings. "A full-blown inquiry would be time-consuming," he insists. "It would be a political sideshow." Riegle, of course, was the ringleader of the Keating Five—and unlike McCain, who complied fully with the Ethics Committee investigation, Riegle was a champion stonewaller, covering up his tracks, running for cover and suffering memory lapses of near clinical proportions. Senator John Glenn, who received more than $100,000 in campaign contributions from Keating, also seems rattled by the prospect of hearings, blasting "those on the other side of the aisle who are calling for this now that the shoe is on the other foot." And Senator Dennis DeConcini, rebuked in 1991 for taking $80,000 from Keating, announced on March 10 that "if there's wrongdoing, it's going to come out.... We should not hold hearings at this time."

We don't know whether Clinton attorney David Kendall is correct to say that Whitewater amounts to nothing more than a batch of small-scale financial irregularities—we certainly hope he is. But it would have to be a great deal worse for the Clintons to be ethical pariahs among the pontificators on Capitol Hill. •

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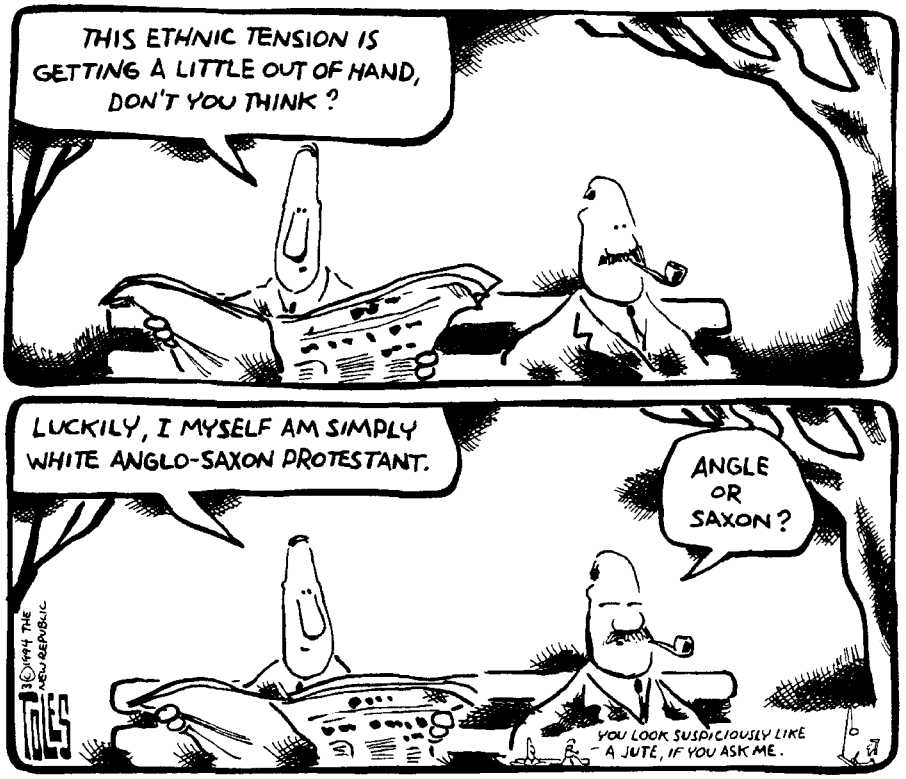
NOTEBOOK

WHEN IRISH EYES ARE FROWNING: With Saint Patrick's Day upon us, we enjoy what has now become an annual festival of anguish over the issue of tolerance of homosexuals. In Boston the sponsors of the annual parade actually canceled the event, rather than allow it to include a few openly gay Irish men and women. In New York, where the courts ruled in favor of the parade's freedom of dissociation, the march went on, sans open homosexuals. Constitutionally, the marchers have a point: they should be free to associate with whom they want. Morally, it's another matter. What does it say about Irish-American leaders in Boston that the mere existence of openly gay people in their midst is enough to make them cancel the apex of their year? Or of Mayor Rudolph Giuliani, who, by marching in New York, tacitly approves of gay-baiting paraders? They can't argue the sanction of Catholicism; recent church teaching, while condemning gay sex, affirms the "dignity of homosexual persons." As far as we know, no gay marcher will be having sex in broad daylight in downtown Boston, and none wants to. They want merely the dignity the Church accords them. So the exclusionary rule is based on presumed immoral private activity, a rule that would, we suspect, exclude most marchers, gay and straight. The same doctrine that bans gay sex equally outlaws masturbation, premarital and extramarital sex. Are the march organizers kicking up a fuss about social groups and drinking clubs that might encourage and condone such behavior? Or policing alcohol to ensure that nothing of the kind could occur during or after the event? Of course not. The reason for the exclusion is simple antipathy toward people who are involuntarily different from others. It's an antipathy that isn't shared in Ireland itself, where homosexuals march happily alongside their straight counterparts (and where no one uses a public march to pry into anyone's bedroom). In this case (as in the case of the IRA), some Irish-Americans show themselves to be narrower than their homelanders, and less festive, too.


THIS ETHNIC TENSION IS GETTING A LITTLE OUT OF HAND, DON'T YOU THINK ?
LUCKILY, I MYSELF AM SIMPLY WHITE ANGLO-SAXON PROTESTANT.
ANGLE OR SAXON ?
YOU LOOK SUSPICIOUSLY LIKE A JUTE, IF YOU ASK ME.
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TOLES

THE POLITICAL SPECTRUM:

"A well-organized and well-financed attempt ... to undermine my husband, and by extension, myself, by people who have a different political agenda or have another personal and financial reason for attacking us."—Hillary Rodham Clinton's description of her Whitewater critics, *Elle* magazine, March 7

"Unfairness by those who never wanted me to run for senator in the first place, or who are over on the far left."—Senator Alfonse D'Amato's description of his ethical critics, *The New York Times*, May 11, 1988

SCHINDLER'S GIST:

"BUENOS AIRES, ARGENTINA (A.P.)—The wife of the hero of Steven Spielberg's *Schindler's List* says the Holocaust film is worth seeing again and again. Emilie Schindler sat through the three-hour movie for the third time Tuesday as the Oscar-nominated film premiered in Argentina. 'It's worth seeing many times,' she said before the screening...."—A.P., March 9

"BUENOS AIRES, ARGENTINA, (Reuters)—Emilie Schindler is fed up with Steven Spielberg's epic movie about her husband Oskar and said she won't be watching Tuesday's gala opening in Argentina.... 'I've sat through that film twice already. I don't want to see it again,' she told Reuters on Monday, complaining that the movie was too long for someone of her age...."—Reuters, March 7

(Thanks to Anwar Mohammed, Pittsburgh, Pennsylvania.)

REVIEW AND OUTLOOK:

Fiske Gets Off to Fast Start in Whitewater Probe By Moving Forward Aggressively on All Fronts

—*The Wall Street Journal*, March 14, page A16

The Fiske Coverup II

—*The Wall Street Journal*, same day, page A14 •

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THE FLAPJACK FILE

INFLATABLE BRIT

By Douglas G. McGrath

Monday, March 7, 1994

With the Whitewater scandal widening, there has been incredible pressure on the president to clean house. So today Flapjack announced he was firing the aide he has spent the most time with since coming to the White House, the one whose advice and knowledge he most relied on. When it turned out that he was referring to the chef in charge of sauces and desserts, the press was not mollified.

Nor was Mr. Fiske. When Agent Searle and I brought Flap back to the White House after he'd given the keynote speech at the IHOP convention, deputies of Mr. Fiske had come by with more subpoenas for the senior staff. But they hadn't been able to deliver them, as the senior staff had left early to go to the Pearl Jam concert. Still, it put Flap in a bad mood. He said, "Agent Duke, I feel as though you and Agent Searle are the only people in the White House defending me."

I said I was sure everyone was behind him. He had even inspired a Republican to work for him. He thanked me for saying that and dialed up Mr. Gergy on the speaker phone. Mr. G's machine picked up. It said, "Hi, this is David Gergen! I'm not in my office right now. I've been on vacation and haven't had anything to do with anything that's gone on here since I steered the NAFTA bill to victory. If you're interested in my book proposal, *Both Sides Now*, press one. If you have a major news bureau you'd like me to head, press two. If . . ." Flap threw the phone at the door. Mr. Steph was entering, but the phone was about five feet in the air, so it missed him.

Still angry, Flap went a few rounds with his inflatable Brit Hume. "I think what we have to do," Mr. Steph said, "is give the impression that it's back to business as usual here." "Yes," Flap said, taking off his belt and slapping Brit with it for a while. "But how?" Mr. Steph said that Flap should refocus his attention on that area for which he had displayed the greatest enthusiasm since coming to power.

Flap agreed. He's going to the Oscars.

Monday, March 14

No break in the Whitewater storm, so Mrs. Rodham Flap gave an interview to Ms. Clift. They met in her office in the West Wing as Mrs. Rodham Flap exercised. She has hooked up her stationary bike to the shredding machine to make it shred faster. She rode like the wind. "Eleanor, we do not have a siege mentality," she said, shifting into eighth gear. She called her secretary. "Jen, we need to prop up the sandbags by the door. They're loose! And do I have to board up those windows myself? Get those handymen up here!" Ms. Clift nodded sympathetically and knelt in front of the bike, basking in the breeze from the wheel.

Just then Mr. Hubbell entered with two big guys in striped suits and black glasses. I'd seen them once before, hanging around outside that nice Mr. Foster's office. Mr. Hubbell jerked his head and said, "Vito." One of the guards came over and started to frisk me. When I resisted, Vito said, "Mr. Hubbell wants I should ascertain that you are not at this time carrying no piece." I angrily explained I was Secret Service.

"It's O.K., Vito," Mr. Hubbell said. "Stand back here with Tito." He then went to Mrs. Rodham Flap, stepping on Ms. Clift's hand in the process. Her eyes teared up, but she didn't utter a peep. "We need to punt Whitewater out of the stadium, Hil," he said. "They're looking into *me*!"

Friday, March 18

Another terrible day for Flap, poor guy. Mrs. Rodham Flap accidentally shredded his invitation to the Oscars. While this was a huge disappointment for Flap, it is probably a relief to the workers at the Dorothy Chandler Pavilion. Now they won't have to widen a seat for him.

Then Mr. Hubbell resigned! There are stories that he overbilled at Rose, but he swears he is innocent. He came by to say goodbye to the president and left him with this:

Webb Hubbell's Expense Report:

Cost of hiring a press rep. to fend off rumors that I was resigning: $4,750.

Cost of "You'll Double Your Trouble If You Fire Webster Hubbell" football jerseys for Justice Department members to wear as voluntary gestures of support: $12,356.

Popeye's Fried Chicken take-out for last week: $750.

First-class airfare to Arkansas for your mother's funeral, as well as rent-a-car, hotel costs and new blue suit (with carnation): $25,001.

Money donated to church collection plate since I started praying not to lose this job: $2,500.

All-expenses-paid trip to Hawaii for several very helpful members of the Park Police; $56,900.

Number of cans of Jolt Cola I had to purchase before my single meeting with Warren Christopher: sixteen; at $1.50 per can: $24; plus tip for delivery: $1,024.

Cost of psychiatric sessions over why Annie Leibovitz always photographs Stephanopoulos and not me: $28,500.

Ten boxes of gold golf tees that I was going to give to you to thank you for my job but now, I guess, I'll keep: $36,000.

Hours spent preparing this report, not to mention the hours needed to remind myself to prepare this report, including spell check, at $500 per hour: $25,000.

Miscellaneous: $1,627,873.25.

With this resignation, more people have now resigned from Flap's administration than have served it.

DOUGLAS G. MCGRATH is a frequent TNR contributor.

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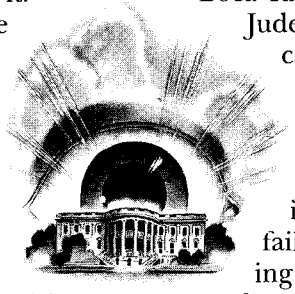
WIGGLE ROOM

By Fred Barnes

On February 22 President Clinton invited five Republican senators and three Democrats to the White House for a working dinner. They really worked. The subject was health care, but Hillary Rodham Clinton, who drafted the administration's plan, said little. Treasury Secretary Lloyd Bentsen didn't say much either. White House counselor David Gergen said nothing. The president had the floor. "Let's not posture," he said. "Let's talk about the pros and cons." So they discussed health care financing and mandates and purchasing alliances. As usual, Clinton pushed universal coverage. At one point, Vice President Al Gore asked, "Does everybody support universal coverage?" Only Don Nickles of Oklahoma, a conservative Republican, responded. And he sounded like he supported it.

The meeting represented track No. 1 of the White House health care strategy: bipartisan compromise. The GOP thought the session went well. "It was a nice little dinner," says Senate Minority Leader Bob Dole, an attendee. The White House seemed pleased. "It was very constructive," says Gergen. The meetings showed Clinton still has some wiggle room on health care. Nothing was agreed on, yet the outlines of a compromise were faintly visible—insurance reform with some form of universal coverage. But the president didn't rush to embrace it; quite the opposite. He failed to follow up on the meeting, though Dole requested a second session.



There's a reason he didn't. Despite the promise of track No. 1, the White House is stressing track No. 2: go-for-broke. This is being pursued in the House, where two committee chairmen, Dan Rostenkowski (Ways and Means) and John Dingell (Energy and Commerce), are assigned to get as much of the Clinton plan as possible. By focusing on track No. 2, Clinton excites a powerful constituency—organized labor, liberals, supporters of a single-payer health care system—that he has already angered with issues such as NAFTA and welfare reform. Passage of a bill resembling the Clinton plan would also strengthen the White House in the inevitable House-Senate conference.

One big problem exists. There's only an outside chance the House will approve the Clinton plan. Though the president has begun one-on-one lobbying of swing Democrats in the House, none has jumped to his bill. And it's hard to find a moderate Democrat or Republican who'll vote for a proposal with an employer mandate and price controls. What's most risky about this track is the prospect of dooming passage of a health care bill this year. The shrewdest lobbyist on health care, Michael Bromberg of the Federation of American Health Systems (for-profit hospitals), believes there won't be time after the House vote in June to piece together a compromise bill. Bromberg, by the way, wants a bill.

The way around this is track No. 1. True, Clinton would have to give up a lot, but he'd get something, plus the political credit for it. The president is surprisingly well-positioned to wrap up a compromise. The new head of his health care task force, Harold Ickes, is making friends. Also, Republicans are divided, making it easier for Clinton to attract some to a bipartisan solution. And Whitewater hasn't undermined the president's standing on health care. If anything, it has made Republicans complacent: they're more interested in attacking Clinton's past than his plan.

One Clinton aide, Gergen, has worked track No. 1. He was left off the health care task force as too free market-oriented. But he's kept up contact with likely participants in any compromise. He ran into Bromberg in the White House lobby (Bromberg was there to see Ickes) and arranged to have lunch with him. He also met with Pam Bailey of the Healthcare Leadership Council. More important, he's spent time with Dole. The two of them appeared on a panel in late February at a conference in Boca Raton, Florida, run by economic consultant Jude Wanniski. Each spoke for an hour. Gergen came to the conclusion that Dole is reachable on health care.

Certainly other Republican senators are. Dole tried to cobble together a unified GOP position on health care at a two-day retreat in Annapolis, Maryland, in early March. He failed. Seven or eight senators insisted on sticking with Senator John Chafee of Rhode Island, whom Dole appointed last year as the Republican point man on health care. Chafee's plan calls for universal coverage achieved through an individual mandate. William Kristol, chairman of the Project for the Republican Future, thinks this is a trap for the GOP. "Once you say 'universal coverage,' you've got to have a mandate," he says. It becomes a costly entitlement, which leads to price controls. Then, someone has to monitor these controls, namely a large government bureaucracy. All of a sudden, a compromise that looked like Clinton Lite has become the Clinton plan itself.

Kristol makes a strong case, but few Republicans are willing to join him in attacking universal coverage. During a public debate with Gergen on February 2, House GOP Whip Newt Gingrich said he'd "like to find a way to ensure that every American has coverage." Senator Dave Durenberger of Minnesota sees it another way. "President Clinton will compromise anything to get universal coverage," he wrote in a memo to Senate colleagues. "Why not take advantage of his single-minded goal?"

Some White House officials are wary, fearing Republicans will never satisfy them. At the dinner, Nickles didn't exactly endorse universal coverage. "I support universal

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access and universal care," he said. Still, his plan, backed by twenty-five Republican senators, offers a refundable tax credit to buy insurance and deprives those who aren't insured of claiming the personal exemption on their taxes. Clinton didn't find this close enough to universal coverage to warrant further discussion. Strange. •

SARAJEVO POSTCARD

BACK ON TRACK

By Zlatko Dizdarevic

Sometime last summer, when we still used to try to imagine the day when everything would finally stop and we could head south, toward the sea, one of my friends said: "As far as I'm concerned, I'll know the war is over when the trolleys start running again and, like in the old days, I can get on the No. 2 and take it to the end of the line, right to Villa Cengic. And we can pass all the way across 'Sniper's Avenue,' but no one will be shooting at us."

We laughed then, looking over the twisted tracks, the fallen power lines, the wrecked and burned-out trolleys. The trolleys remained exactly where grenade and mortar shells had stopped them dead in their tracks in May of 1992. It seemed like everything else—the end of the war, a return to normal life—would come before the trolleys started running again. We figured that we'd get to the sea by car, or maybe even somewhere farther by plane, before we'd be able to make it to Villa Cengic on the No. 2 red line.

Things turned out differently. The conflict made fools of us again. When it comes to forecasting war and peace, politics and life, we have to admit, once more, that we're complete amateurs. The trolley is running. The tracks have been straightened out. The power lines have been put up and a few red cars, in mint condition, have been hauled out from God knows where. But none of this has anything to do with the end of the war we had imagined. And it has nothing to do with what our trip on the No. 2 would have meant. There is still no peace waiting for us at Villa Cengic.

What stands out most about the No. 2, as it makes its way through dead neighborhoods, is the route's senselessness. The trip is nothing more than movement from one place to another within the same concentration camp, the same prison. Once upon a time we used to sit in the No. 2 and head down to Bascarsija, the heart of the Old City of Sarajevo. Today the area is just a gaping hole, empty and calm. We used to get on the No. 1 and head for the railroad station and then go on from there, by train, to other places. Like people. Now there are no trains; there isn't even a railroad station. If they start the No. 1 again, what good will it be if it only serves the same bogus purpose as the No. 2? There were times when we used to pile into the No. 3 and somehow make it to Ilidza. And from there we could go wherever our hearts desired: down the old tree-lined avenue to the source of the Bosnia River, up to Mt. Igman or even to nowhere in particular. Thanks to the world's kindness and affection, Ilidza now belongs to "them"; it is at the other end of the world, somewhere on another planet. You can't get there, as everyone well knows, by trolley. A revived No. 3 won't be able to do us much good either.

The No. 2 is off and running, and everything else stays still, with very little hope that anything is about to change. What a blunder it was to think that, one day, a trolley would take us to freedom. For the rest of the world—especially for the politicians and diplomats who try to get us to accept their lies, who try to get us to tell the world how happy we are—the resurrected trolley is a triumph. But what is it to us? How can we even begin to explain that we've always liked going to Ilidza, the railroad station, Mostar, the sea? And that we'd much rather go to these places on foot than have the ability to "freely" roll to nowhere on a trolley. As the No. 2 stops at every station on its aborted route across nothing, it creates an illusion that is equally senseless, revolting and desperate.

Of course, it isn't easy trying to explain this to people who think that the only aim in life is to fill your stomach and your pockets, and that you can be as happy as a cow in five square meters of living space as long as you have your mercy provisions—the gift of a "landlord" or humanitarian organization. It's also tough to put a damper on the warm feelings of all those who helped get "Operation Trolley" underway by sending money, technicians and even cameramen, just to make sure it was recorded for posterity. The "international community" also kept its honor intact and showed its strength, so its leaders have good reason for a victorious toast over a glass of whiskey. A great nightmare no longer bears down on them in quite the same way or in quite the same place. That nightmare hopped onto the red line, Sarajevo's No. 2, and it's making the rounds now, to the general contentment of some of the exhausted and depleted citizens of Sarajevo.

But it's slightly more difficult to sell this story to those in Sarajevo who are still using their own heads to think with, something that, apparently, may constitute this disobedient city's gravest sin. A few days ago Afan Ramic, an artist, was talking with some people from Japan who had come to visit his studio, which is in an abandoned building that used to be a printing plant. They were a fine bunch, very serious, dignified and sincere. They listened carefully, spoke carefully and made offers even more carefully. For hours they studied the canvases, took pictures of the works. Then, with great tact and meticulously chosen words, they conveyed a message to the painter: their T.V. station, as well as their govern-

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ment, would be honored if he, the Sarajevan artist Afan Ramic, would come to Japan with his paintings. There would be exhibitions, and all expenses would be paid. In short, they saw no problems except, of course, whether this "extremely interesting" painter would be willing to accept their invitation. Would this trip upset any other plans he might have made? Did he find the concept to his liking? Were there any special conditions that needed to be met?

"I looked at them for a while without really knowing what to say. I wasn't really sure, to tell you the truth, whether or not they were pulling my leg or whether they were serious," Afan said later. "I always admired the Japanese for their seriousness. Could it be that after 700 days of imprisonment, hunger, personal tragedy and every other kind of misery imaginable, they were really asking me whether or not I wanted to go to Japan and have a show? And what's more, did they have any idea what they were saying when they claimed that everything would be O.K. as far as traveling was concerned? Then I decided to ask them what, around here, always ends up being the most important question: 'That's all well and good as far as Tokyo and Osaka go; I have no doubt that it's also nice in Nagoya and Yokohama, but how am I going to get past the Serb barricades on Ilidza?' I got the feeling that they felt confused and didn't quite grasp what I was asking them. I actually began feeling sorry for them. Then I said, more to myself: 'Forget about it, don't worry, I'll get to Ilidza by trolley.' "

The Japanese went off happy that they had gotten Afan to come to their country. The painter was left to wait for the trolley to Ilidza, or some other mode of transportation the international community could arrange. After all, when you get past Ilidza and that last barricade, everything is a lot easier. From there to Japan isn't far at all.

ZLATKO DIZDAREVIC, is author of *Sarajevo: A War Journal* (Fromm). This article was translated by Ammiel Alcalay.

Tehran's teen invasion.

YOUNG AND WESTLESS

By Tara Bahrampour

In a darkened basement in an upscale Tehran neighborhood, teenagers dance to blaring Europop. A boy with slicked-back hair and a black turtleneck jumps into the air in stiff, exaggerated poses reminiscent of the "Saturday Night Live" Dieter. Nearby, another boy in a leather necklace with a ceramic charm plays a video game, while a girl with large silver rings and baggy jeans sits on his lap. Two boys and a girl sprawl on the couch, sharing a Marlboro and flipping through a box of C.D.s smuggled in from abroad. A playful scuffle ensues; several others join in and everyone ends up on the floor, a shrieking pile of arms, legs, Levi's 501s and Davidoff cologne.

This, however, is no carefree adolescent party; these kids are committing serious offenses under the laws of the Islamic Republic of Iran. There, Western pop music and videos are banned, as is alcohol. Contact between unrelated men and women is forbidden—especially if they're teenagers. As Ace of Base blares from the stereo, every ring of the doorbell causes anxious heads to turn, fearful that the *komiteh*—the Iranian morals police—has arrived to search the house, confiscate the C.D.s and haul everyone off to jail.

They keep dancing, though. The kids at this party are different and bolder than most of their peers. Raised in the West, they have only recently returned to Iran with their families. Their new lives are a constant, perilous negotiation between Islamic society and Western culture.

In 1979, when the Shah of Iran took off from Tehran's Mehrabad Airport for the last time, a large chunk of the country's professionals followed. Fleeing Islamic rule, they went to Los Angeles, New York, London and other Western destinations. Now, after fifteen years of economic devastation, Iran is trying to lure them back. The government's repatriation campaign—combined with recession in the West, the end of the war with Iraq, a softening of Islamic law in Iran and homesickness on the part of the exiles—has attracted more than 100,000 returnees since the late 1980s.

Visiting Iran for the first time in fifteen years—I left with my family when I was 11—I am struck by the similarities between some of these kids and students I went to high school with in California. The young woman with the rings was a surfer girl in San Francisco. The boy in the turtleneck grew up in Frankfurt, where he left behind his blond high-school sweetheart. Giving up surfboards and girlfriends is only half the story. For the girls, going back to Iran means they must now don long, shapeless coats and head scarves every time they step out the front door. Boys arriving at the airport with long hair risk having it chopped off on the spot. And, once they return, Iranian boys are forbidden to leave the country until they serve two years in the military, or pay the equivalent of $10,000 to avoid it.

The government does, however, give a break to students who have lived abroad for two years or more: they get to attend a special school. For returnees who may not even speak Farsi, let alone know much about Islam, education officials have created two transitional schools in Tehran, one for boys and one for girls. Situated in wealthy north Tehran neighborhoods, the *Tatbighi*—or "adjustment"—schools offer kindergarten through twelfth-graders a gentler version of Iranian education.

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Unless they are praying, girls are allowed to let their head coverings slip to their shoulders. Boys are permitted to discard their navy blue jackets when they play basketball in their asphalt schoolyard. The carefully chosen teachers are friendly and informal.

That's not to say there isn't still a culture gap. "They're telling us junk like, 'If you look at a lady's hair you'll go to hell,' " laments a 13-year-old boy from Los Angeles. Last year some of the girls defied a school order and refused to shout "Death to America!" at the annual celebration of the 1979 U.S. embassy takeover. "We were crying and saying, 'I'm not going to shout 'death!' to my home,' " remembers one girl from Texas. Despite such rifts, however, most recently returned kids agree the adjustment schools are a godsend. In fact, most want to stay longer than the customary two years. Some parents are able to convince administrators to let their older children remain until graduation, even if it means paying the $450 annual tuition fee.

And how do the kids fare outside the *Tatbighi* walls? Unable to meet in school, boys and girls seek out one another after hours. They form tight cliques and feel set apart from other Iranian kids. Well-traveled, and on average wealthier, they are more self-consciously cosmopolitan than those who never left. They speak often of returning to their "real" lives. "All I want is to be able to drive my car down Sunset Boulevard again," a boy from Los Angeles says. Only the surfer girl, who visited California for the summer, admits that once the thrill of eating Big Macs had passed, she found she actually missed Iran.

A popular meeting place for kids of returnees is the newly constructed Golestan mall. It's in a neighborhood commonly called "West-town," as much for its cultural aesthetic as for its location on Tehran's west side. The multilevel, yellow brick structure, with its one-hour photo shop, bookstores, boutiques and pizza café, looks like it could be in the San Fernando Valley.

Entering the mall with "Leila," a *Tatbighi* girl, I spot a young boy wearing oversize basketball shoes, laces untied, and I assume he has lived abroad. Leila, who used to play volleyball at her American high school, corrects me. "He hasn't been anywhere," she says, rolling her eyes with disdain. "They just try to look like it. But check out those shoes." She points to the unfamiliar brand marking. "They're just Iranian imitations."

In the absence of nightclubs, beaches or football games, Golestan is one of the few places young Iranians can dress up, mill around and even flirt. On a Friday night, the Islamic holy day, the mall is packed. Young women, scarves tied artfully back to show risky amounts of dark hair, walk past leather-jacketed young men. No words are exchanged, but as they pass, their eyes lock for a second longer than they should. Anything more would be too dangerous.

Or would it? "When I first got here I didn't realize what was going on," says Leila, who returned a year ago. "Someone had to show me. Look at that girl talking to her friends. Now see that guy with his back to her, talking to his friends? They're really talking to each other."

We sit at the pizza café's outdoor tables, around the main courtyard. Leila's friends from the boys' school sit several tables away. Her 12-year-old brother carries messages across for us. The boys dare us to come sit with them. We decline their invitation and instead make plans to meet after dinner.

But suddenly the boys drop their food and stride quickly toward the exit. As they pass our table, they warn urgently under their breath: "*Komiteh! Komiteh!*" In a flash, Leila wipes off her lipstick and pulls her scarf forward. I do the same. Hearts pounding, we sink into our seats and try to look inconspicuous. The crowd in the courtyard has scattered in the wake of two olive-clad *komiteh* members with machine guns. Though they are about the same age as those they have come to arrest, their cropped hair, regulation two-day stubble and government-issue uniforms set them worlds apart from the young men they herd into the back of a flatbed truck (women are arrested less often).

By the time we get up the nerve to slip away, the truck is full of well-dressed boys about to be carted off for a long night of interrogation. (A friend of mine was once held for six hours in an empty swimming pool as authorities pressed him to explain the slogan on his T-shirt. It said: "Home Boy.")

We hop into a taxi and stammer out directions to the house where we had planned to meet our friends. As our driver pulls out of the parking lot, we ask him why the boys were being arrested.

"Rap hair," he sneers in disgust, meaning long hair and sideburns. "Rap clothes. These people are like monkeys. Anything the foreigners do, they do. They're all monkeys." We nod gravely.

Arriving at the house, we pass through a barred gate and a locked door. Rap music shakes the smoky living room. Between dances, kids pore over a batch of photographs taken at the last party. (Photos of mixed-sex events can get them in trouble, too.) A couple makes out in the next room. Every few minutes the music changes, as American and European pop fans jockey for position at the C.D. player.

Then someone puts on a tape of Iranian music, a synthesis of contemporary pop and sinewy ancient melodies. Suddenly everyone is off the couch and dancing. But they're not doing the offhand bounce they learned in European nightclubs; this is the hip-thrusting, shoulder-wiggling dance native to Iran. The kids learned it in exile, at weddings and birthday parties. As one boy shakes his chest at the guys next to him, he yells over to me: "You know, my friends in L.A. would think this was totally gay."

But as I watch him do his Middle Eastern male bonding thing, I think that, for the moment, not driving down Sunset Boulevard might be just fine with him.

TARA BAHRAMPOUR is a free-lance writer.

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An Arkansas thriller.

THE NAME OF ROSE

By L. J. Davis

You see a girl walking down the street. You can say, "There goes a beautiful girl" or "There goes a whore." What the hell's the difference? They've both got legs.
—Jon E. M. Jacoby, executive vice president of Stephens Inc., explaining the Arkansas system of politics and finance as it reached perfection during the Clinton years

I.

In Arkansas, the latest backstairs of the national political system, you hear a lot of things. Concerning Whitewater, for example, you are constantly—and probably correctly—reminded that the dustup involves nothing but a typical loony tunes S&L deal from the 1980s, despite the august personages involved and their perplexing insistence on behaving like refugees from a Raymond Chandler novel. In Arkansas memories are long, political rascality is king of regional sports and rumor and truth tend to commingle until otherwise reasonable people are driven slightly bonkers trying to sort out one from the other. In Little Rock the whole Whitewater affair is regarded as something of a hoot—the Yankee carpetbagger press, with the reality of Arkansas staring it in the face, has gone and missed the real story again. But if Whitewater was nothing but a minor peccadillo that the press has glommed onto because it thinks it understands it—and compared with the private financial shenanigans of Arizona Governor Fife Symington, Whitewater resembles a misdeed along the lines of crossing the street against the light—why, then, has the Clinton administration so frantically placed its back to the door, as though a peek beyond would reveal grandpa tied to a chair, surrounded by his looted bank books? In Arkansas the answer to this question eerily resembles the epitaph on the tombstone of Sir Christopher Wren: if you would see Clinton's monument, look around.

When it comes to Bill Clinton's home state, the national press has repeatedly looked, seen everything and observed next to nothing (the honorable, largely ignored exception being the *Los Angeles Times*). Visiting Little Rock in search of atmosphere during the presidential campaign, reporter after reporter dutifully described the imposing Stephens Building, the elegant Capitol Hotel, the Worthen Bank tower and the headquarters of Arkla Petroleum, future White House Chief of Staff Mack McLarty's gas company, without realizing that all of these things were either owned, controlled or under the influence of a single, immensely powerful family: the Stephenses.

By a happy chance, the family is also the stellar client of Hillary Rodham Clinton's old employer, the Rose Law Firm. Although it usually served as a hired gun with a conveniently blind eye, Rose proves to be a handy prism for observing a Gothic, sometimes darkly humorous tale of bonds, banks, a friendly cocaine distributor, sinister Pakistanis, shadowy Indonesians and the uses to which an agreeable state government can be put. The story is in fact three connected stories, combined in a typically Southern saga: Stephens Inc. and the Worthen Bank Corporation; the Rose Law Firm itself; and the Arkansas bond business, which, like most bond businesses, is extremely difficult for the well-educated layman to understand, thus making it an excellent place to hide things in plain sight. Central to the story is a pair of siblings named Witt and Jackson Stephens.

II.

In one sense, nothing unusual occurred in Arkansas during the 1980s: tales of high jinks in high places have always figured prominently in American discourse, and some of the most colorful stories—a number of them actually true—have come out of the Bubba Belt of the South and Southwest, whose geographical heart happens to be occupied by Arkansas. But Arkansas is rendered sui generis by the presence of the only major investment bank not headquartered on Wall Street, Stephens Inc. of Little Rock, which does much to explain some of the arresting peculiarities of a state that is more than a little strange even when judged by the spacious standards of its region.

For one thing, although Arkansas is the home to some of the nation's wealthiest families, it is one of the poorest states in the country, although there is no reason for it to be poor at all. Abundantly endowed with minerals, petroleum, timber and some of the most fertile agricultural land on the surface of the planet, it bears a close resemblance to a Third World country, with a ruling oligarchy, a small and relatively powerless middle class and

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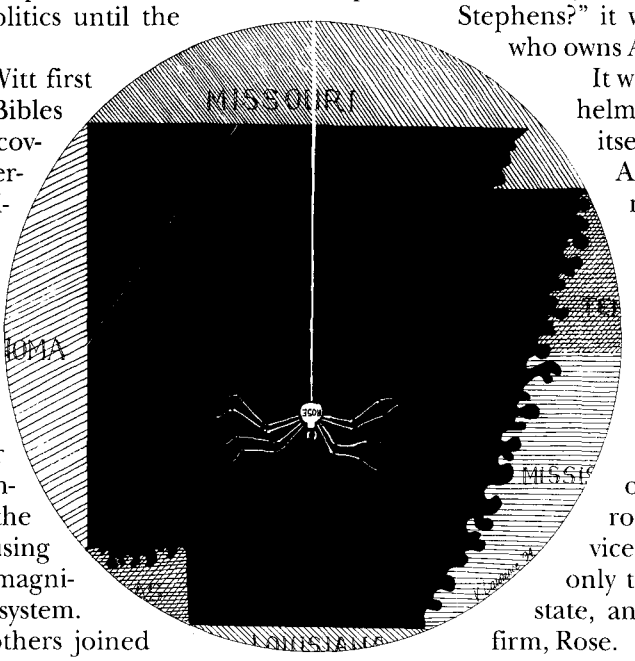
a disfranchised, leaderless populace admired for its colorful folkways, deplored for its propensity to violence (on a per capita basis, Little Rock has one of the highest murder rates in the nation) and appreciated for its willingness to do just about any kind of work for just about any kind of wage.

In the words of one local wag, the farther you get from Arkansas, the better the Stephens boys look. Indeed, the family's sanitized, Horatio Alger-like biographies have been featured, accompanied by a remarkable lack of examination, in publications as various as *Forbes* and *Golf Digest*. The dynasty's founder, Witt Stephens, together with his younger brother by sixteen years, Jackson, grew up on a hardscrabble farm near the town of Prattsville, the sons of a small-time speculator in oil stocks and sometime state legislator, A. J. Stephens, who remained a power in state Democratic politics until the end of his life.



An eighth-grade dropout, Witt first made his living by peddling Bibles and belt buckles before he discovered a pair of bonanzas in undervalued, Depression-era municipal bonds and the natural gas with which Arkansas is so richly endowed. Meanwhile, Jackson briefly served as a page with his father in the state legislature and went on to become a classmate of future president Jimmy Carter at the Naval Academy, a circumstance that would later serve the family's fortunes well while causing a disaster of still unmeasured magnitude in the American banking system.

After World War II the brothers joined forces at Stephens Inc. in Little Rock, with Witt—or Mr. Witt, as he came to be known—serving as the company's colorful, cigar-chomping and aphoristic face to the world (or as much of the world as paid attention) while the taciturn Jack toiled away in the back office, revealing a golden touch at investment strategy. These things are relative, of course; by the time Witt (who died in 1992 at the age of 83) handed over the reins to Jack in 1957, while retaining his petroleum interests and serving as the presiding genius of the firm, Stephens Inc. was worth a beggarly $7.5 million. But in the Arkansas of 1957, a financial institution with $7.5 million had the money and the clout to do a number of things—including purchase a governor.

Witt, like his father before him, was a staunch hereditary Democrat, a supporter and friend of such Arkansas luminaries as Senator William Fulbright. He was also a great patron of the infamous, six-term Orval Faubus—not, apparently, because of the governor's segregationist policies (to the family's credit, Jack Stephens, a trustee of the University of Arkansas since 1948, had successfully lent his voice to the cause of integrating the institution), but because Faubus was sound on the subject of natural gas, a subject dear to the Stephens' heart. As the family's fortune continued to wax after the Faubus years, it became an axiom of Arkansas politics that someone could occasionally become governor without permission from Stephens headquarters, but the politician was unlikely to remain governor for very long unless he paid close attention to the care and feeding of the brothers—the great exception to the rule being two-term Republican Winthrop Rockefeller, the beneficiary, representative and broken reed of an even vaster American fortune, who became the failed hope of Arkansas liberalism. Decades later, when the self-effacing Jack became chairman of the Augusta National Golf Club in Georgia, naive visitors were quickly enlightened on the subject of how a man so shy could assume a post so prominent in the sport of the moneyed and the gently bred. "Jackson Stephens?" it was explained. "He's the man who owns Arkansas."

It was with Jackson Stephens at the helm that Stephens Inc. propelled itself into the stratosphere of the American financial plutocracy, making a bewildering variety of investments in enterprises as various as real estate, hazardous waste incineration, data processing, nursing homes, trucking and airplane maintenance, while simultaneously diversifying into the business of underwriting issues of common stock. In its new role, the firm called on the services of young C. Joseph Giroir, the only trained securities lawyer in the state, and his paralyzingly respectable firm, Rose.

The securities business, in turn, led to a chain of peculiar events beginning in 1977 (the year, it so happened, that Bill Clinton became Arkansas attorney general and that Rose hired his wife). That year, no less a figure than T. Bertram Lance appeared on the corporate doorstep of his old friend's classmate, bringing with him a load of troubles and a glittering opportunity. Lance was compelled to resign as head of Jimmy Carter's Office of Management and Budget because of his long history of questionable financial practices in Georgia. As a result of that history, he was also beset by a negative net worth, substantial loans from banks in Chicago and New York and a large stockholding in the National Bank of Georgia. Sadly for Lance the price of the bank stock was depressed and its sale on the open market could not rescue him from the specter of bankruptcy, which was the dilemma Stephens Inc. was invited to solve.

A solution was soon found in the form of the now notorious Bank of Commerce and Credit International (BCCI), although whether Lance introduced Stephens to the Pakistani-run scam or vice versa is a matter of some debate. Beyond dispute, however, is the fact that the comptroller of the currency, the nation's principal regu-

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lator of commercial banks, had clearly stated that BCCI was never to enter the American banking system under any circumstances. Oddly, this unambiguous order did nothing to prevent Stephens Inc. from solving Lance's problems while settling a small score of its own. The National Bank of Georgia was controlled by a holding company called Financial General, one of the few entities in the country allowed to engage in interstate banking under the laws of the time. The Stephens interests controlled slightly less than 5 percent of Financial General and the investment had soured, partly because Financial General refused to hire the family's data processing company. It was, Stephens soon persuaded BCCI, just the sort of investment BCCI was looking for, the comptroller's edict notwithstanding.

In short order, Stephens launched Lance on the path to renewed solvency, assembled blocks of stock for purchase by the front men who would conceal BCCI's identity, effected an introduction to the subsequently disgraced Democratic wise man Clark Clifford, turned a small but tidy profit on the sale of its own shares, pocketed fees of at least $95,000—and, in return for a sum that in Stephens terms amounted to chump change, set in motion the process that would give BCCI its long-sought beachhead in the American financial community. When subsequently confronted with its BCCI involvement by the Securities and Exchange Commission, Stephens Inc. neither admitted nor denied the SEC's findings but promised to go and sin no more.

But BCCI was not the only exotic party attracted by Lance's bank holdings. Also appearing on the scene was Mochtar Riady, one of the wealthiest men in Indonesia, with far-ranging interests and a known connection to his country's dictator, General Suharto. When someone went into business with Riady, there was also the possibility that they were in business with the general, a fairly decent chap by dictatorial standards (he had begun his reign with the slaughter of 200,000 supposed Communists, a feat he had not found necessary to duplicate except on the island of Timor) but a tyrant nonetheless.

Stephens Inc., which appeared to be uninterested in the true activities of BCCI, exhibited a similar indifference when it came to Riady. Moreover, the Stephens people did not appear to be the least bit curious about the business endeavors of the distinguished former statesman who effected the introduction between Jakarta and Little Rock. This was Robert B. Anderson. Formerly a secretary of the treasury in the Eisenhower administration, Anderson had carried out diplomatic assignments for President Lyndon Johnson in the Middle East and had served as President Richard Nixon's chief negotiator in the Panama Canal talks before opening an offshore bank—Commercial and Trade Bank and Trust Ltd. on Anguilla—that catered to people who needed to launder money, evade taxes, or both.

Jack Stephens had willingly presided over the handoff of a big hunk of an American bank to a bunch of Pakistani thugs, but he was not willing to let Riady go so easily. "He wanted to buy into an American bank, an idea I was not enthusiastic about," Stephens told an interviewer some years later, perhaps making an unconscious semantic distinction. He'd seen nothing wrong with selling BCCI an American bank—they even named it First American—but he and Riady soon began planning an entirely new kind of Arkansas bank holding company, for which they required the services of Giroir and his expertise in securities law. But they also needed something that increasingly became a hallmark of the Rose firm: a willingness to perpetrate a subtle conflict of interest.

Founded in 1820, well before Arkansas became a state, Rose is one of the oldest surviving law firms west of the Mississippi, one of the most competent and one of the most quietly influential. Often, in looking at the state government of Arkansas, the Rose firm and the Stephens interests, it is hard to escape the impression that one is looking at a single entity, rather along the lines of NATO. The law partnership takes its curious name from U. M. Rose, a talented attorney who dominated the firm from the mid-1860s to the end of the century, was one of the founders of the American Bar Association and is one of two Arkansans whose statues adorn the Capitol in Washington. Over the years Rose has provided Arkansas with numerous legislators and justices of the state supreme court. In 1957, when the modern civil rights era was born in Governor Faubus's refusal to integrate Little Rock's Central High, it was a Rose lawyer who acted as lead counsel to the school board. (Rose still has no black partners.) And from 1975 until 1988 the firm enjoyed a spectacular run—growing from seventeen lawyers to fifty-three—under the leadership of the dapper and charming Giroir, the first and only chairman in the history of Rose, who deeply entwined the partnership and his personal destiny in the affairs of the Stephens family's empire.

During the Clinton administration, the history of the Rose firm could be divided into two periods: the Giroir years, and the shorter period, from 1987 to 1992, when the firm claimed to be a democracy, voting on its future rather than blindly following a single, charismatic leader. This democracy, however, was publicly dominated by three partners: the amiable Webster Hubbell, who was until a few days ago associate attorney general; the quiet Vincent Foster, who was deputy White House counsel until his suicide last summer; and Hillary Rodham Clinton, who as of press time is still First Lady. The firm's sea change, which generated a certain amount of hoopla from the legal press, was more apparent than real. Under the surface, Rose was much the same as always, doing good for its friends and clients while doing well for itself, but much more silently.

In his years as Rose's chief, Giroir conspicuously chaired a group drawn from the state's so-called Good Suit Club. The club successfully lobbied the legislature to change the state usury law, which made owning an Arkansas commercial bank a much more attractive

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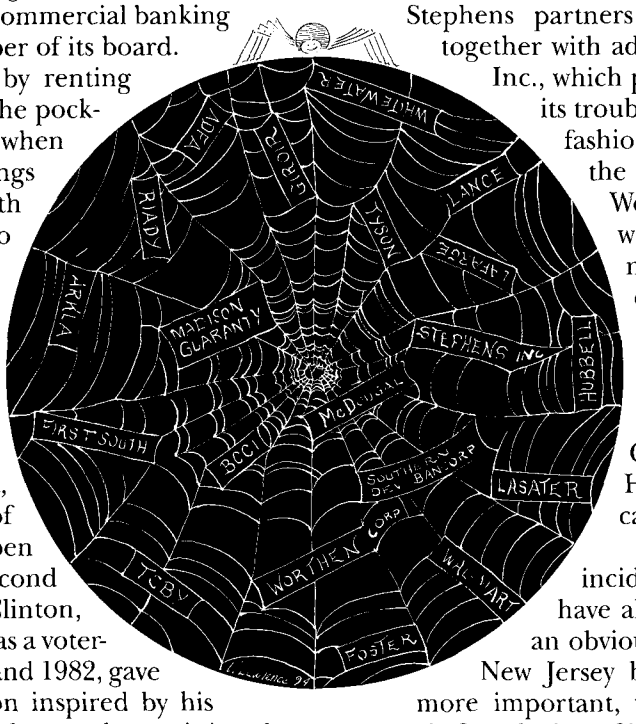
proposition. It also was active in convincing the state's lawmakers to revise the law restricting the formation of bank holding companies, which enabled Giroir, Riady and Stephens to make a substantial and potentially lucrative investment.

On his own, Giroir had purchased control of four Arkansas banks. He sold all four—including the second-largest bank in the city of Pine Bluff—to Worthen Banking Corporation, the new holding company Riady and Stephens had been able to set up after state law, with Giroir's help, had been made more congenial to such things. For his part in the deal, Giroir was compensated with $53,760,294 in cash, stock and assumed debt. He also became a major stockholder of Worthen (named after the venerable and very large Little Rock bank that was the pride of the Stephens commercial banking empire) and a powerful member of its board. He received further income by renting property to the company, and he pocketed an additional $2.1 million when he sold part of his stockholdings to a company affiliated with Riady's son James (who was also Worthen's co-president). More important, he managed to create a whole new client for his firm; Rose became Worthen's principal outside counsel.



These things are complicated, dull and dry, which is an excellent form of concealment, but consider the sequence of events. With the stroke of a pen and without a visible second thought, then-Governor Bill Clinton, following his traumatic period as a voter-rejected civilian between 1980 and 1982, gave life to two pieces of legislation inspired by his wife's boss—revising the usury laws and permitting the formation of new banking holding companies.

In a state as small as Arkansas, where everybody of importance knows everybody else, it seems impossible that Governor Clinton could not have known that the relevant legislation would be of immense personal benefit to the boss in question, the state's most powerful family and an Indonesian investor whose presence in Arkansas seemed to be regarded as the most natural thing in the world. Last and not incidentally, the governor, by permitting the creation of the Worthen Bank Corporation, had arranged a new payday for the Clinton family through the windfall in legal fees provided to the Rose firm (Hillary Rodham Clinton, partner). When the compensation of the firm's partners was computed, Rodham Clinton has insisted, she specifically exempted herself from receiving a share of Rose's business with the state. But although Worthen could not have been brought to life without the help of her husband's government, it was not a government agency. Rodham Clinton was therefore not excluded from a partner's share of its fees.

More important, Worthen also became a major depository of the state's tax receipts. Nothing unusual here; governments frequently park their undeployed funds with large private banking institutions until they decide what to do with the money. But the results soon proved to be imprudent under the most charitable interpretation of the word. In 1985 Worthen Bank managed to lose $52 million of Arkansas state taxpayers' money in a purchase of government securities from a New Jersey brokerage with a questionable past and no future whatever; several of its principals ended up in jail for fraud. With its capital wiped out in a single stroke and a seizure by federal regulators imminent, Worthen was swiftly rescued with a $30 million cash infusion from its major stockholders, in the form of a loan that paid the Stephens partners a handsome 10 percent—together with additional funds from Stephens Inc., which pocketed a $3.2 million fee for its trouble. (The risk, in true Stephens fashion, was not great. Two-thirds of the funds were swiftly replaced by Worthen's insurance company, which made Stephens Inc.'s noble rescue of the bank—and of a big hunk of the Arkansas treasury—an almost surefire, profitable investment.) Also conspicuous during the complex negotiations were Joe Giroir and his partner Webb Hubbell, appearing in their capacity as members of Rose.

Two questions surround this incident. First, how could Worthen have allowed the state to make such an obviously tainted investment via the New Jersey brokerage firm? Second, and more important, why did nobody in Arkansas appear before the bar of justice? The New Jersey firm was a direct lineal descendent of a peculiar regional phenomenon: the world of so-called bond daddies. The bond-daddy racket, long centered in Memphis but with many of its members drawn from Arkansas, specialized in selling questionable government securities to gullible investors, principally small banks with little financial sophistication.

Here is where the oddity begins, at least as it concerns Worthen. The Stephens brothers, if not Giroir and Riady, were intimately familiar with the black arts of finance. They were also experts in the government bond market. Moreover, at least one of the principals in the New Jersey brokerage of Bevill, Bresler & Schulman Inc. (which executed the transaction for Worthen and the state of Arkansas) was well-known in the region. Bevill's operations had all the earmarks of a standard bond-daddy scam, and yet Worthen committed $52 million anyway. (At the bank, the official explanation was that co-president Jim Jett acted naively, on his own and without the supervision of his principal stockholders, which is possible but not entirely plausible, since Giroir, who rep-

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resented the Stephenses, sat on the board.)

Consider a virtually identical event at the same time in Ohio, in which a savings bank controlled by Marvin Warner, Jimmy Carter's ambassador to Switzerland, invested in the same kind of fraudulent securities, destroyed itself, ignited a statewide financial panic and caused Governor Richard Celeste to declare the first Ohio bank holiday since the Great Depression. A number of the responsible parties, including Warner, found themselves behind bars, some for a very long time. Why? Under long established Anglo-American law, an officer or director of a bank is governed by the "prudent man" rule, which states that he is personally responsible for the financial and legal consequences of his acts. In Arkansas, where the prudent man rule seems to have been suspended, a number of people were fired, but the Clinton government hauled precisely no one into court on criminal charges. Once again in Clinton's Arkansas, the law seemed to be different than it was in the rest of the United States—which makes certain Arkansans smile in knowing amusement over the fact that Bill Clinton now happens to be running the United States.

III.

The near failure of Worthen in 1985, like the arrival of BCCI, proved to be another pivotal event in recent Arkansas history: Stephens, Worthen, Rose and the Clintons remained at the center of the stage, but the cast of supporting players began to change.

A former Stephens executive named Ray Bradbury, who had been deeply involved in the BCCI negotiations—hardly a job qualification, one would think—took the helm at Worthen, where he discovered that the bank was also stuffed with bad real estate loans. Meanwhile, federal regulators learned that the bank had made an excessive number of insider loans, particularly to the Riadys, although what happened next is, as usual, a matter of mutually exclusive explanations.

Knowledgeable observers in Little Rock and elsewhere say that the Riadys were slowly forced out of the bank by the federal government; at Worthen, the official version says that the Riadys disengaged because it was clear the troubled bank could not be a major force in international finance. In any event, the Riadys soon departed.

The role of Joe Giroir also underwent a change. As a principal owner of Worthen, he was charged with securities fraud in a shareholder suit; he was also sued by Worthen itself for taking illegal "short-swing" profits when he sold stock to the Riady affiliate. Not only did Giroir lose his board position and partial ownership of the bank—with Giroir and Riady out of the picture, the Stephenses gradually increased their stockholding to more than 40 percent, while stoutly denying they controlled the place—but, following Giroir's disgrace in 1988, Rose lost Worthen as a client that had once paid the firm hundreds of thousands of dollars per year.

As for Giroir, his troubles were far from over. In 1986 he was revealed to be a shareholder in and a substantial borrower from a Pine Bluff thrift called FirstSouth, the first billion-dollar S&L failure in the country. Before the dust had cleared, the head of FirstSouth had gone to jail together with a former president of the Arkansas Bar Association, and Giroir had sued the federal regulators while the federal regulators were suing him, putting a considerable crimp in the plans of his partners, Hubbell and Foster, to create a lucrative practice in the cleanup of the S&L crisis. (At failed S&Ls, the fees for firms like Rose could be enormous. According to one frustrated federal investigator, private lawyers in Dallas were making $500,000 per month from the thrift catastrophe, more than the total annual budget for the federal cleanup effort in the entire state of Texas—and in Arkansas, where lawyers were cheaper, the damage per capita was among the worst in the country. Somehow, Governor Clinton escaped criticism for this interesting fact.) It was clear that Joe Giroir, who had built the modern Rose Law Firm, was now the partnership's greatest liability—the firm's reputation aside, federal regulators charged that Giroir had used Rose letterhead to give FirstSouth legal advice beneficial to himself; Rose was forced to settle with the Federal S&L Insurance Corporation regulators for a reported half-million dollars—although once again there is a contradictory official version of his abrupt departure.

Giroir once claimed that he left the firm voluntarily but will no longer comment on the matter. The Rose firm fell abruptly silent on this and all other subjects following recent allegations that it had shredded its Whitewater files, but its spokesman told *American Lawyer* in 1992 that Giroir departed in a coup arranged by litigators who were miffed that he and the firm's other rainmakers were paid substantially more than the lawyers who actually did the scut work in court—litigators prominently including Hubbell, Foster and Rodham Clinton, who actually seemed to be engaged in very little legal work at all.

With the departure of Giroir, life at Rose became quieter if no less active. The three partners became the firm's public face to the world. The most physically imposing and locally active of these was Hubbell, a six-foot, five-inch giant of a man who had played football for the University of Arkansas, had almost made it into the big time with the Chicago Bears, had served briefly as mayor of Little Rock (when Rose received a significant portion of the city's bond business) and had received an interim appointment as chief justice of the Arkansas Supreme Court from Governor Clinton. (According to a reliable source, Hubbell's father-in-law, Seth Ward, a septuagenarian self-made entrepreneur, once complained that keeping Hubbell in politics cost him $100,000 a year.)

The second was Foster, once described as an immaculately brown-suited man in an immaculate brown office, who was regarded as the "soul" of a firm that, according

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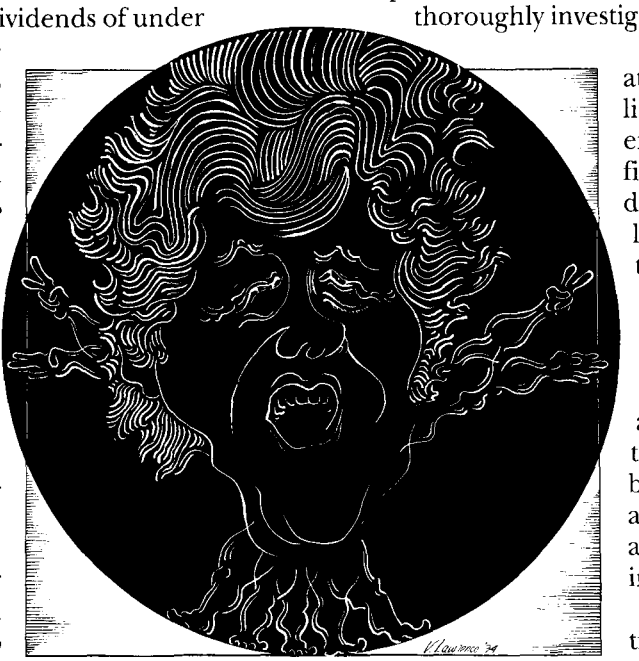
to grand jury testimony, shredded volumes of his records the moment an independent federal prosecutor appeared in the vicinity. The last was Rose's first female partner, Rodham Clinton, who occasionally did some lawyering in the intervals when she wasn't working for the Children's Defense Fund, attending to her personal business affairs or serving as the governor's first lady. The three were described to *American Lawyer* as "big, big buddies"; Rodham Clinton's office was next door to Hubbell's, and much of her work was actually done by Foster. The three also were closely entwined in a curious financial arrangement. This was Mid-life Investors, a partnership set up by E. F. Hutton in 1983. Hubbell, Foster and Rodham Clinton each kicked in $15,000 and named each other—rather than their spouses—as beneficiaries. But although the fund was active at least until 1991, Rodham Clinton reported annual dividends of under twenty dollars from Mid-life Investors, a sum that comes as a surprise to Roy Drew, the financial counselor who supervised the partnership and invested its money in such 1980s takeover candidates as Diamond Shamrock and Firestone Tire. According to Drew, with the likes of Sir James Goldsmith and the Japanese offering huge sums for the stock of Shamrock and Firestone, there was no way Mid-life Investors could have failed to reap substantial profits.



Although Rodham Clinton was a litigator—that is, a lawyer whose task is to appear in court, if only to force the other side to settle—and an attorney who was named one of the 100 most influential in the country by the *National Law Journal* in 1988 and 1991, she was almost never seen in the courtrooms of Little Rock; some court reporters remember an occasional appearance, and one could not remember having seen her at all. According to a search conducted by *American Lawyer*, she tried just five cases during her fifteen years at Rose; other published sources say her work revolved around copyright infringement cases involving songwriters and bread companies. But paradoxically, in view of what happened to Giroir, she (like Giroir) received extra compensation for the business she generated from her extracurricular activities, even if she did not work on the cases at all.

For example, she was only one of two Rose partners to act as a corporate director, serving at various times on the boards of four companies and earning $64,700 in 1991 from director's fees alone. (Her 1991 salary from Rose was in the vicinity of $110,000; her husband earned $35,000 and got to live in a free house.) She was on the board of Wal-Mart, a Rose client that Stephens had launched on the road to glory. (Rodham Clinton also owned $80,000 worth of Wal-Mart stock.) She served Southern Development Bancorp, a holding company created to give development loans in rural Arkansas, which, according to *The Washington Post*, paid Rose somewhere between $100,000 and $200,000 in fees. In 1989 she joined the board of TCBY yogurt company, which occupies the tallest building in Little Rock. TCBY then proceeded to pay Rose $750,000 for legal work during the next few years. Last, and puzzlingly, she was a director of Lafarge, a giant French cement company that had no discernible connection to Arkansas except, like Stephens Inc., it was engaged in burning hazardous waste. (As president, Bill Clinton did nothing to stop operation of an Ohio waste incinerator, partly backed at one time by Stephens Inc., despite the fact that it didn't work, had no legal permit and his own vice president had promised that it would never operate until it was thoroughly investigated, which it wasn't.)

With Rodham Clinton aboard at Rose, the firm's long established connections to the governor's office were made firmer still. Rose, the gold standard of Arkansas law firms, had long enjoyed unusual access to the state's corridors of power. It both advised and did the bidding of the powerful family that acted as the state's shadow government, and during the Clinton years, the Rose Law Firm sometimes behaved as though it were an agency of the state rather than a legal partnership with offices in a converted YMCA.

The intimate connection between Rose, Stephens Inc. and the governor's office may help explain how the Stephens family made a vast amount of money when its most visible enterprises were doing no such thing. The investment bank had hit a gusher when it took Wal-Mart public, made a pleasing sum on the stock of Tyson Foods, the nation's largest chicken processor, but otherwise cut no great swath in the stock market. Until recently, Worthen was a disaster area. At least part of the answer for the family's continued prosperity seems to reside in the unusual way Bill Clinton's state dealt with Stephens Inc.'s old specialty, government bonds.

IV.

The crown jewel of Bill Clinton's avowed attempt to create industries and jobs in the state was an unusual entity called the Arkansas Development Finance Authority (ADFA). According to well-established common law, a government-chartered authority is supposed to be an independent body, insulated from the hurly-burly of everyday political life and its temptations. But ADFA, written into law with the help

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of Webb Hubbell, was no such thing. All ten members of its board were appointed by the governor. Though it was specifically granted the power to issue industrial development bonds, the governor, personally, was required to approve every bond issue. State agencies with the ability to issue industrial bonds are supposed to distribute the money (and thus create jobs and wealth) to companies and individuals who can't receive lines of credit on favorable terms from the usual financial institutions or venture capitalists. On significant occasions, however, ADFA spread its bounty to less than deserving clients. Nor do the peculiarities of this body end here.

Although it issued bonds, ADFA did no due diligence—the common practice of engaging an outside financial expert to examine the applicants for the proceeds and determine if they actually need the money and are otherwise worthy recipients. (Due diligence, according to an ADFA spokesman who happens to be the brother-in-law of one of Witt Stephens's daughters, was the responsibility of the purchasers of the bonds under the ancient principle of caveat emptor—a practice that had previously helped the region's bond daddies flourish and had wiped out the capital of the Worthen bank.) While its spokesman is a little fuzzy on the subject, it seems that there was no regular ADFA oversight to ensure that money was being spent according to the original purpose of the loan, although an ADFA employee might occasionally be sent into the field to discover if everything was tickety-boo.

It is also somewhat difficult to discover just what ADFA was actually doing. A recent examination of the log kept at ADFA headquarters for the enlightenment of wandering reporters and inquisitive citizens reveals just twenty-five bond issues from 1985 to the present—or twenty-six, if you count the paperwork on a bond issue that was removed in a reporter's presence. Moreover, the log suggests that ADFA was heavily involved in good works with religious orders. But according to the *Los Angeles Times*'s count of ADFA's activities, the authority released seventy industrial bond issues—according to my count, the number is sixty-five—none of them to religious charities or university hospitals, and most of them missing from the official log. Which begs the question: Just what was ADFA doing with the $719 million it dispensed (or whose dispensation it authorized) as of January 1992?

"ADFA," says Larry Nichols, a dismissed authority official, "was set up by Clinton for Dan Lasater." Now, it should be borne in mind that Nichols is something of an Arkansas character and, in some circles, a figure of fun. A well-known supporter of the Nicaraguan contras, Nichols was also the person who originally alleged that Clinton had an affair with Gennifer Flowers and four other women, only to destroy his credibility when he retracted his charges in a document remarkable for its abject contrition. But there are those in Arkansas who insist that Nichols is neither entirely a vindictive nut nor the sort of notorious regional liar who has to hire a man to call his own dog. "You ought to listen to Larry Nichols," says a Little Rock political consultant. "He says a lot of things, but sometimes he tells you something you really need to know." And, certainly, there is something intriguing about Bill Clinton's relations with Lasater, a man no governor in his right mind would let in the front door.

If Dan Lasater was not the largest cocaine user in the state of Arkansas, he was certainly the most conspicuous one. A prosperous Little Rock bond dealer, he was an acquaintance of the Clinton family and a contributor to the governor's political fortunes. Lasater distinguished himself in other ways, too. He served ashtrays full of cocaine at parties in his mansion, stocked cocaine on his corporate jet (a plane used by the Clintons on more than one occasion) and later told the FBI that he had distributed cocaine on more than 180 occasions. "I shared my success ... in that manner," he explained.

He was also a patron of Governor Clinton's cocaine-using half-brother, Roger, employing the younger man in his thoroughbred racing stables in Florida and claiming that he gave Roger Clinton $8,000 to pay off debts to drug suppliers. By 1985 it was also known that Lasater was the subject of a police investigation that, even the most uneducated guess would suggest, could end in only one way. But that year, Governor Clinton deemed Lasater worthy of handling a $30.2 million bond issue to modernize the state police radio system, despite the fact that the expenditure would normally be made by an appropriation from the treasury and the fact that Lasater was about to be busted. Nonetheless, Clinton vigorously lobbied the legislature, ignored the wishes of the Stephens family and won the day, giving Lasater & Co. a handsome $750,000 underwriting fee, according to the *Los Angeles Times*. In 1986 Lasater was sentenced to two and a half years in prison, with Roger Clinton testifying against him at his trial. In 1990 he received a state pardon from Governor Clinton.

For whatever it's worth, one of the few people to have access to the office of the late Vincent Foster during the three days it was unsealed following his suicide was White House official Patsy Thomasson, who managed Lasater's business affairs while he was in jail. But in the Clinton system, perfected in Little Rock and now being practiced in Washington, none of these things should be considered a mistake or an aberration.

Lasater was not the only strange thing about the Arkansas bond business during the time of Bill Clinton. Whenever a normal state issues bonds, there are many ways for a variety of people to get well on the public nickel. The beneficiary of the proceeds receives a loan at below-market rates. The financial institution that sold the bonds receives underwriting fees. For each bond issue, an outside attorney is engaged to certify that the deal conforms to the law and prepares the documents required by the Internal Revenue Service and the federal treasury. A bank is chosen as trustee for the money, collecting the repayments from the lucky borrowers and making the repayments to the purchasers of the bonds. And the borrower itself almost invariably retains a lawyer. But when one examines the activities of ADFA, a certain pattern emerges concerning at least some of the beneficiaries of Arkansas largess.

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For example, one of the very first ADFA bond issues provided $2.75 million to POM, a manufacturer of parking meters in Russellville, whose president happened to be Seth Ward II, the brother-in-law of Webb Hubbell. Despite the fact that Hubbell was chairman of the conflicts committee at Rose, he seemed to see nothing amiss in the fact that Rose then collected a fee as ADFA's certifying attorney or that he himself served as POM's attorney. Nor did Hubbell seem to see anything unusual in the fact that he was representing the Resolution Trust Corporation in its case against the auditors of Madison Guaranty, despite the fact that his father-in-law, the senior Ward, had not repaid millions in loans from the thrift, or that Ward had received an airplane from Madison in the bargain.

Between 1985 and mid-1992 Stephens Inc. was involved in the underwriting and sale of 78 percent of ADFA's housing and industrial bonds, an unsurprising figure considering the firm's familiarity with the market and its clout in the state. Still, considering Stephens's involvement in the authority's affairs, Governor Clinton did not appear to feel that it was ever so slightly wrong to appoint two Stephens associates—a vice president of one of Worthen's banks and a vice president of a chain of nursing homes partly controlled by the Stephens empire—to ADFA's ten-member board. Nor did the man who signed off on every single ADFA bond issue exhibit suspicion when Stephens seemed to be supplementing its brokerage fees by helping itself to ADFA's money in the form of favorable loans. Meanwhile, at least another member of the board, the vice president of Twin Cities Bank, an institution that served as trustee in one of ADFA's tangled deals, appeared to take a similar double-dip. And the governor's wife's law firm was not only receiving a healthy chunk of ADFA's legal business, but Rose apparently found nothing wrong with affiliates of Stephens receiving ADFA money, or with the fact that on not one but two occasions, ADFA issued bonds that benefited the relatives of Rose partners.

In 1988 and 1989 ADFA lent a total of $1.37 million to the Pine Bluff Warehouse Company. Rose received $22,321 in legal fees from ADFA. The trustee bank was Worthen's National Bank of Commerce in Pine Bluff, whose vice president sat on the ADFA board and whose chief executive officer was not merely a member of Pine Bluff Warehouse's board but the father of a senior Rose partner, William Kennedy III, now associate White House counsel. Stephens, unsurprisingly, underwrote the bonds.

In 1989 ADFA loaned $4.67 million to Arkansas Freightways, whose largest outside stockholder was Stephens Inc. Co-counsel on the bond issue was Rose. The trustee bank's executive vice president was a member of the ADFA board. The underwriter was Stephens.

Also in 1989 ADFA tried to loan $83 million to a Texas entrepreneur for the purpose of bailing out Beverly Enterprises, the country's largest operator of nursing homes, 10 percent owned by Stephens, whose vice president sat on the ADFA board, at a time when Beverly's stock was being hammered by the company's persistent losses. A swift and decisive halt to the deal was called by Arkansas Attorney General Steve Clark, a rising political star who was expected to be a strong gubernatorial candidate in 1990, and who claimed that a Stephens-Beverly lobbyist had offered him a $100,000 bribe (as campaign contributions, of course) if he would just lay off and let the deal go through. The lobbyist was later cleared by an Arkansas court, but Clark was caught charging personal expenses on his state credit card. His political career in shambles, he was later disbarred. Current reports place him somewhere in the state of Georgia.

But these were only the most conspicuously questionable of ADFA's doings, the ones most easily understood by the public and the press. There was also the question of the true extent of Rose's involvement in the authority's bond business. According to the *Daily Record*, a Little Rock business journal, Rose ranked fourth among the law firms working directly for ADFA, with fees of only $175,000 for the years up to 1991. But not everyone agrees with this assessment. When Frank White, the only man ever to defeat Clinton in a gubernatorial election, tried to repeat the feat in 1986, his campaign claimed that Rose had actually been in on every ADFA deal (for the authority or for the recipient) while Clinton was governor.

Unfortunately, the relevant data was assembled under the supervision of White's political consultant, Darrell Glasscock, a former Louisiana state official and a great supporter of the contras (an occupation that appears to have been an Arkansas cottage industry). Reached recently by phone, former Governor White, now an officer of Worthen's principal competitor, the First Commercial bank holding company, clearly wishes he had never heard of Glasscock, cheerily questions Glasscock's veracity and pleasantly turns aside any questions about Rose.

When a visitor to ADFA asks for the complete documentation on any particular bond issue, he is presented with a thick volume that, if placed on a chair, would allow him to dine with the grown-ups. A small sampling of these volumes reveals an interesting thing: every company examined, including POW, Arkansas Freightways, Pine Bluff Warehouse and Concert Vineyards appears to be eminently creditworthy. These are the sorts of enterprises that could walk in the door of any bank and walk off with any reasonable sum they needed.

Why, then—in addition to the mutual back-scratching described above—were they being given loans at below market rates by a desperately poor state with other uses for its money? This question takes added luminosity from the fact that ADFA really didn't work very well. The old Arkansas Industrial Development Commission, started by Orval Faubus, created 90,000 jobs in nine years. And it had no bonding power. After seven years under the Clinton regime and with tens of millions in issued loans, ADFA had created just 2,700 jobs, many at wages significantly below the national standard. This anemic showing obscures the fact that ADFA had yet another purpose: its generosity was returned in the form of campaign contributions for William Jefferson Clinton.

According to the *Los Angeles Times*, in the 1990 race for the governorship, the recipients of ADFA's largess contributed $400,300, nearly one-fifth of the Clinton war

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chest. They then kicked in with millions more for the presidential race. Outside Arkansas the white-shoe investment bank of Goldman Sachs, which later contributed its co-chairman, Robert Rubin, to President Clinton's inner circle of economic advisers, raised millions for the presidential race and even paid for a substantial hunk of the Democratic National Convention. According to ADFA's incomplete records, Goldman was either the lead or sole underwriter of at least $400 million in ADFA bonds. In addition, two of ADFA's board members were active Clinton fund-raisers, which raises yet another question among many: Wasn't this against the law? For once, the answer is terse and straightforward. Not in Arkansas.

Under the Arkansas ethics-in-government act, passed in 1988 and, according to state legislators, either drafted or inspired by Hubbell, state legislators were required to report possible conflicts of interest. Surprisingly, the law specifically exempted the governor and other elected or appointed officials, including officials of state agencies and commissions. Moreover, these officials were not even required to report dealings with entities—such as Rose—that employed their relatives. This was not the only remaining service that Rose had provided to the governance of its state. When the time came to rewrite the state's incorporation laws, it was Rose that drew up the 397-page treatise that formed the basis of the legislation.

Well, somebody has to draft a state's legislation, and under Arkansas's unusual ethics law, it was perfectly all right for Rose to do just that. Less clear (if anything in these murky waters can be described as clear) is just why Clinton seemed so eager to assist the Stephens family, which was hardly enamored of the man and kept bankrolling the candidates who ran against him for governor until it experienced a change of heart in 1990. Witt Stephens habitually referred to Clinton as "that boy." In a moment of candor his brother Jack once remarked that "it would be awfully easy for Stephens, if we wanted to be close to a governor, to be close to Bill Clinton." Nonetheless, the Clinton governorship's assistance to Stephens extended well beyond ADFA. During Clinton's years in Little Rock, the Stephens interests were involved in some 61 percent of the $7 billion of all the state bonds issued in Arkansas.

Contrary to state law, Stephens Inc., according to the *Arkansas Democrat-Gazette*, was given the underwriting for the state university system without competitive bids from other bond dealers. The Fayetteville campus alone, where the Clintons had once taught law, had $33 million in bonds outstanding. Under Clinton, Stephens devised a plan to rescue the state's troubled student loan authority, in which the authority's bonds would be bought by the state employees' retirement funds. An independent consultant—Roy Drew, the very man who created Mid-life Investors for Hubbell, Foster and Rodham Clinton—was brought in to examine the deal. Drew thought it was a terrible investment and so did the state's auditor, Julia Hughes Jones. But Drew was dismissed, Jones's budget failed to pass the legislature (the first time ever for an Arkansas state auditor) and she began to receive late-night harassing calls from a collection agency—concerning, ironically, her own daughter's student loan, which was current. In the upshot, the retirement funds bought $100 million of the loan authority's bonds, another $100 million in the bonds of two other state agencies, ADFA was given the task of overseeing the retirement fund's investment policies and Stephens Inc., according to *The Philadelphia Inquirer*, made $1.8 million.

These were very considerable favors to a family that not only bankrolled Clinton's opponents but seemed to despise him as a man. But Bill Clinton's canny instinct that the Stephenses needed to be appeased—rather than ignored—eventually paid off. After Clinton's unexpected loss in the New Hampshire primary, with the campaign coffers bare, the staff paying its bills on their personal credit cards and federal matching funds just beyond reach, the Worthen Bank rescued the candidacy with a prearranged $3.5 million line of credit, selflessly advanced at a lucrative rate of interest. Later, Worthen—whose executives, like many Stephens executives, experienced a spasm of Arkansas patriotism that caused them to reach for their checkbooks—became the Clinton campaign's depository of $55 million in federal campaign funds, which, in effect, was free money. Worthen did not have to pay any interest on this staggering sum, but as long as it was on deposit (and as long as Worthen, with its undistinguished track record in the department of government deposits, managed not to lose it), the bank was free to use it to make itself some money that it got to keep.

And when the votes were counted, everybody who wanted to go to Washington got to go to Washington: Bill Clinton and Hillary Rodham Clinton, president and First Lady; Mack McLarty, White House chief of staff; Vince Foster, deputy White House counsel; Webb Hubbell, associate attorney general; Patsy Thomasson, a White House aide. Jack Stephens, though mentioned as a candidate for secretary of the treasury, had, it now seems safe to say, the good sense to stay home.

Oh, and one last thing: when Whitewater special prosecutor Robert Fiske—who once defended Clark Clifford, the famed friend of Jack Stephens's old client, BCCI—arrived in Little Rock, something strange happened. Worthen Bank had a fire.

Is this a great country, or what? •

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BOOKS & The Arts

Stanley Kauffmann on Films

Triple Grant

The arrival of two films with the same leading actor is not all that unusual. (Nick Nolte is currently viewable in two.) But three—well, that's noteworthy. Here's the note.

Hugh Grant, English, 32, made his debut picture while he was still at Oxford and was first really visible in the film version of E. M. Forster's *Maurice.* Most recently he was seen as the journalist nephew who comes snooping around his uncle's manor in *The Remains of the Day.* But, agreeable as Grant has been, nothing has prepared American audiences for this current volley.

Let's begin at the top. The best of the three films is **Four Weddings and a Funeral** (Gramercy). It's a lightweight romantic comedy, written by Richard Curtis, author of that neglected hoot, *The Tall Guy* (with Jeff Goldblum and Emma Thompson), and directed by Mike Newell, who did *The Good Father* (a grossly neglected Anthony Hopkins gem). The screenplay's basic premise is to trace the development of a romance, over the course of a few years, between two people who meet at other people's weddings. The funeral seems added arbitrarily for variety—not only because of the occasion but because the deceased was a gay man whose lover speaks the funeral oration, complete with a poem by Auden.

Curtis's premise may sound forbiddingly cute, but *Four Weddings* sparkles with the sheen of cleverly arranged banter pretending to be spontaneous. The very ending slips into threadbare contrivance—a last-minute change of cast at a wedding—but most of the time the film provides that extra glow we can get from patterned comedies: if the people are attractive, we feel proprietary about the picture because we know how it's all going to turn out.

Mostly, it amuses because of Curtis's snare-drum dialogue; because of Newell's spirited directing, which exploits various British types—of persons and settings; and because of Grant. He juggles his comic troubles with polish and dispatch, but he is also an absolute virtuoso of embarrassment, and he is frequently embarrassed in this nuptial odyssey.

His romance is with Andie MacDowell; she plays an American visitor who eventually does more than visit. Apparently, MacDowell is affected by the actors she works with. In *Groundhog Day* with Bill Murray, she was at ease—American pacing, silences, sidewise glances. Here the English rapier play around her makes her look a bit stolid. Of course she couldn't, and shouldn't, have played in English style; Rosalind Russell didn't play English with Cary Grant or Myrna Loy with Leslie Howard. Those women simply had more effervescence.

Along the way we get some nifty comic turns, especially Rowan Atkinson as a nervous priest performing his first marriage service. (Besides getting names wrong, he stammers something about the "Holy Goat" and an "awful wedded wife.") Atkinson is a big revue and T.V. performer in Britain: it's easy to see why. Along the way, too, there's one sheer disaster—Simon Callow as an engulfingly convivial partygoer. Callow behaves like a great actor showing us his frolicsome side. He isn't and doesn't.

Kristin Scott-Thomas has a small role in this comedy, but she has a major one in a supposedly grave film, **Bitter Moon** (Fine Line), which is the worst of the three pictures under review—far, far below the other two. Here she plays Hugh Grant's wife. The couple are on a cruise, a second honeymoon to help them re-spark their torpid marriage. Unfortunately the (figurative) skipper of the cruise ship is Roman Polanski.

Polanski is also the co-author of the screenplay, derived from somebody's novel, which surely was chosen and colored by him. In this age when sexual gymnastics are as obligatory for films as coloratura gymnastics were for old-time opera, it may seem strange to single out any film for ostentatious sex doings and talk, but *Bitter Moon* makes it obligatory. The plot entangles Grant and wife with another couple on the ship—he's paralyzed, she's young and seething. The paralyzed man inveigles Grant into listening to the story of his life, replete with flashbacks. These confidences eventually involve Grant and wife in glandular shenanigans.

Besides the dialogue, which is laughably ponderous from time to time, besides the incredibility of Grant's willingness to listen to the tale and

FILMS WORTH SEEING

Belle Epoque. *Spanish, but its French title fits because it's done in the spirit of Renoir—only sexier. Set in 1931, it's the enjoyable tale of a youth who is the guest of a man with four daughters. (Reviewed 2/21/94)* **Germinal.** *The center of Zola's novel is fumbled somewhat, but Claude Berri captures the atmosphere impressively. (3/21/94)* **Raining Stones.** *Subtitles would have greatly helped this account of English working-class troubles. Nonetheless, Ken Loach takes us right into the lives and sharply trimmed hopes of his people. (3/28/94)* **Schindler's List.** *Thanks to Steven Spielberg, a monumental rendering of the true story of the Nazi businessman who dared to save 1,200 Jews. Gives new luster to the word "unforgettable." (12/13/93 & 1/24/94)* **—SK**

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to return for more, the film is laden with display of the narrator's wife. She is played by Polanski's own (much younger) wife, Emmanuelle Seignier. Eighteenth-century aristos used to devise court entertainments in which they exhibited their mistresses in the nude. Polanski emulates.

Grant deserves a rebuke and a medal: a rebuke for appearing in this swill, a medal for bearing up heroically once he was in it.

In the middle of the Grant triptych is **Sirens** (Miramax), written and directed by John Duigan and set in the Australian outback around 1930. Grant plays an English vicar who arrives there with his wife, Tara Fitzgerald, sent by his bishop to visit a notorious artist. Grant has been asked to persuade the artist to withdraw a scandalous painting from an exhibition. (The painting is of a crucified nude woman.)

The artist lives in rural splendor, with several big houses, magnificent gardens, his own lush statuary scattered about and three or four lush models on (shall we say) hand. He is named Norman Lindsay. There was an Australian artist-novelist of that name, known for his lubricious work, and perhaps *Sirens* has some basis in fact. Fact or not, the film's chief problem is that we have had a plethora of life-celebrating artists on screen and T.V., all of them seemingly fictional descendants of Augustus John, all prattling of the beauties of the body and of sex and always with some straitened soul as captive audience. The anti-conventional artist long ago became a convention.

Still, he is played here with relish by Sam Neill, who is given a Rubenesque wife, along with the other female attendants. To complete the D. H. Lawrence fantasy, there is even, if not a gamekeeper, a husky, handsome, young odd-jobs man who rides around on a white horse and who is blind. (Thus has to feel his way.) All these atmospherics have some loosening effect on the clergyman, who is bright enough to know what's happening to him, and even more on his wife. Nothing about *Sirens* is surprising, but except for the artist's ringing declarations about Life Lived to the Full, it's so enthusiastically well-done that it's never boring.

As for Grant, the best compliment is that seeing him in three roles in a fairly short time is not a drag. He doesn't have commanding force or deep feeling, but then he hasn't needed them so far. He does have charm, wit and intelligence, displayed through subtlety of inflection, timing and an ability to convey unspoken thoughts between utterances. That's quite a good deal. •

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Robert Brustein on Theater

The Rehabilitation of Edward Albee

A number of years ago, while praising Edward Albee's much reviled stage adaptation of *Lolita,* I commented on the startling reverses in the fortunes of this once lionized American dramatist: "The crunching noises the press pack makes while savaging his recent plays are in startling contrast to the slavering sounds they once made in licking his earlier ones.... If each man kills the thing he loves, then each critic kills the thing he hypes ... brutalizing the very celebrity he has created."

I was generalizing not only from Albee's career, but from that of Miller, Williams and Inge, for although I had often depreciated works by these playwrights myself, it struck me as unseemly that mainstream reviewers were displaying such fickleness toward their favorite Broadway icons. This may sound territorial, but it's not. Readers expect more intellectual critics to express dissent about an overinflated dramatic work, but it is an entirely different matter when those with the power to close a show become so savage and dismissive in their judgments. If it is a function of the weekly critic to try to correct taste, it is the function of the daily critic to guide theatergoers, not to trash careers or demolish reputations.

Fortunately, Albee's stubborn streak has kept him writing in the face of continual disappointment, a persistence he shares with a number of other artists battered by the New York press (Arthur Miller, David Rabe, Arthur Kopit, Christopher Durang, Philip Glass, etc.). I call this fortunate because Albee has a vein of genuine talent buried in the fool's gold, and there was always a hope, provided he was not discouraged from playwriting, that this would appear again in a work of some consequence. That work has now arrived in **Three Tall Women** (Vineyard Theater), and I am happy to join his other former detractors in saluting Albee's accomplishment.

Three Tall Women is a mature piece of writing, clearly autobiographical, in which Albee seems to be coming to terms not only with a socialite foster parent he once satirized in past plays, but with his own advancing age. Three women are discovered in a sumptuously appointed bedroom decorated with Louis Quatorze furniture, a rare carpet and a parquet floor. They are called A, B and C, which suggests a Beckett influence, though on the surface the play appears to be a drawing-room comedy in the style of A. R. Gurney. The oldest of the women (known as A) is an imperious, rich invalid who appears hobbling on a cane, her left arm in a sling. She is attended by a middle-aged companion (B), who is an angular woman with a caustic tongue and a humped back, and a young, politically correct lawyer (C), who has come to discuss A's business affairs.

The first of the two acts examines some scratchy transactions among this symbiotic trio, consisting of A's recollections (clearly not in tranquility) and the shocked reactions of her companions. A has turned sour and abrupt in old age, and there are traces of Albee's celebrated talent for invective in her rage against life. Her spine has collapsed, she has broken her arm in a fall and now the bone has disintegrated around the pins. Likely to wet herself when she rises from a chair ("A sort of greeting to the day—the cortex out of sync with the sphincter"), she is inordinately preoccupied with the aging process—"downhill from 16 on for all of us." She even wants to indoctrinate children with the awareness that they're dying from the moment they're born, and that anyone who thinks she's healthy, as C does, had better just wait.

In short, A is an entirely vicious old wretch, with a volatile tongue and a narrow mind, but it is a tribute to the writing and the acting that she gradually wins our affections. Although prejudiced against "kikes," "niggers," "wops" and "fairies" (among them her own son), she is a model of vitality and directness when compared with the humor-impaired liberal C, who protests her intolerance. A remembers a past of supreme emptiness, of horse shows, dances and loveless affairs, and she remembers the time her husband advanced upon her with a bracelet dangling from his erect penis ("I can't do that," she said, "and his peepee got soft, and the bracelet fell into my lap"). That arid marriage, and the son who brings her chocolates but doesn't love her ("He loves his boys"), represent memories that can bring A to tears. They also bring her to a stroke at the end of the first act, as she freezes in midsentence describing her deepest family secrets.

The second act begins with A lying in bed under an oxygen mask. By this time B has been transformed from a sardonic, hunchbacked factotum, slouching toward Bethlehem like Igor or Richard III, into a stately matron in pearls, while C has become an elegant debutante in pink chiffon. Before long they are surprisingly joined by A, newly rejuvenated (the figure in the bed is a dummy), and the play shifts gears into a story of one woman at three different moments in time (A at 90, B at 52 and C at 26). Just as B has shed her hump and C her primness, A has lost her feebleness. All three share the same history, the same child, the same sexual experiences, but A and B are united against C in their hatred of illusions. They warn C that her future will be one of deception and infidelity: "Men cheat a lot. We cheat less, but we cheat because we're lonely. Men cheat because they're men."

The prodigal child, now a young man carrying flowers, returns to sit by the bedside of his dying mother ("his dry lips on my dry cheeks"), silent and forlorn. None of the women will forgive him, nor will they forgive each other. A dislikes C and C refuses to become A, while B bursts out bitterly against "parents, teachers, all of you, you lie, you never tell us things change." The inevitability of change is responsible for the obscenities of sickness, pain, old age and death, but A, having accepted her fate, affirms that "the happiest moment is coming to the end of it." Taking a deep breath, she allows the action and her life to stop.

Beckett was the first dramatist to condense the past and present lives of a character into a single dramatic action, and *Krapp's Last Tape* is a play to which *Three Tall Women* owes a deep spiritual debt. (It was also the companion piece to Albee's first New York production, *The Zoo Story,* in 1960.) Beckett compressed youth and age through the device of a tape recorder, Albee uses doppelgängers; but both plays evoke the same kind of existential poignance. Lawrence Sacharow's direction reinforces this mood, shaping performances of considerable grace.

Myra Carter as the aged A combines the classic calm of Gladys Cooper with the snappish temper of Bette Davis. She can move from meanness to winsomeness and back again in nothing flat. (When C, coolly played by Jordan Baker, accidentally hurts A's shoulder, Carter throws her a look of such ferocity I expected the younger actress to shatter.) Marian Seldes, angular and inscrutable

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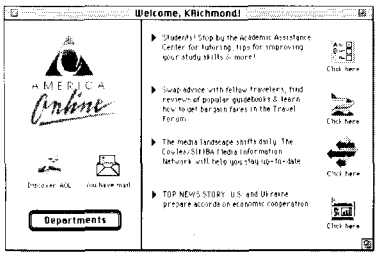

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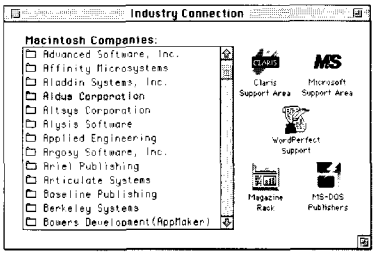

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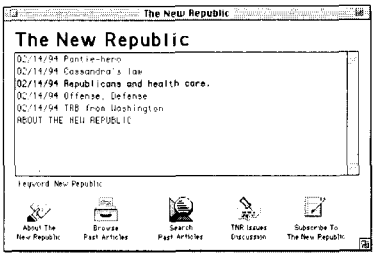

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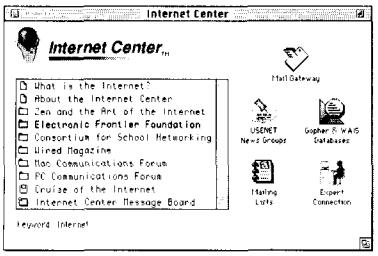

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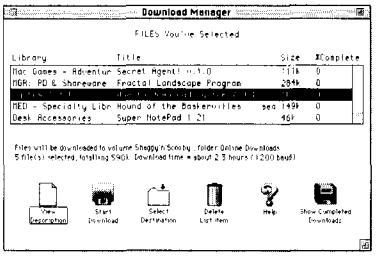

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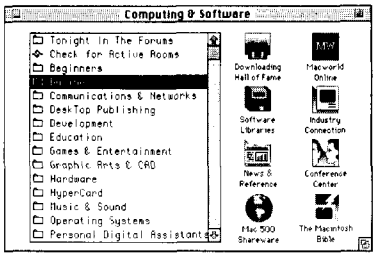

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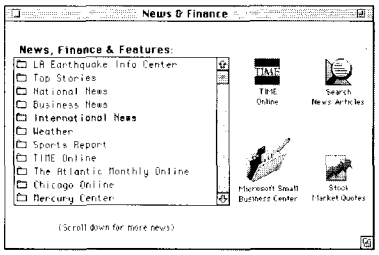

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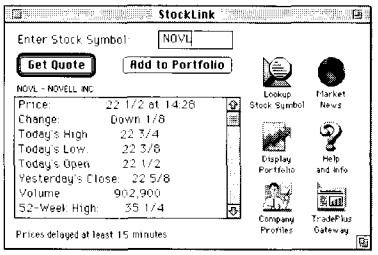

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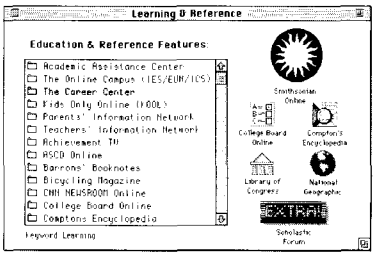

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as B, her hands thrust deeply into her cardigan, plays the part as if she is continually tasting something bitter, screaming "Bad Girl!" when A breaks a glass in the sink. Most of us have encountered horrible old women like A, fuming over their pain and helplessness. It is Albee's personal and professional triumph to have made such a woman fully human. His late career is beginning to resemble O'Neill's, another dramatist who wrote his greatest plays after having been rejected and abandoned by the culture. Happily, unlike O'Neill, he may not have to wait for death to rehabilitate him.

Ain and David Gordon's **The Family Business** (Dance Theater Workshop's Bessie Schonberg Theater) is about another formidable old woman with a family of an entirely different sort, one that writes, directs and (with Gordon's wife, Valda Setterfield) acts in its own drama. The action chronicles the hospitalization and eventual death of Annie Kinsman, an elderly Jewish kvetch who has fallen in her kitchen. Tante Annie is played by the barrel-chested, mustachioed David Gordon, with barrettes in his flowing hair, and his son, Ain, plays the flustered great-nephew who is forced to take care of her. In Pirandello fashion, Ain is currently writing the very play in which he appears as her reluctant caretaker, Paul. Donning a false nose and spectacles, he also plays his own father, Phil (presumably based on David Gordon).

Paul is entrusted with bringing his great-aunt to a hospital, where she is examined by Dr. Piranha, Dr. Devour and Dr. Paymore. Following each visit with this whining, troublesome woman, he loses another part of his anatomy—his pinkie, his left ear, a piece of his nose. She is literally eating him up alive, besides ruining his (gay) sex life. "Is there some medication I can take to prevent this woman from being the most important thing in my life?" he asks. She is a complete pain in the ass, but nevertheless she represents his continuity, "my last link to history."

Tante Annie would run the risk of becoming one of those unforgettable characters you'd like to forget were she not such a nattering nag and irresistible tummler. When she tells a doctor that Paul wants to become a "play-writer," Paul corrects her, "Playwright. One word," to which she replies, "Two words. *No Money.*" Annie goes through all the agonies of illness and old age. Before she dies, she also goes through dozens of nurse's aides. Grown abusive and obscene, she can't stand companions who talk and talk and talk. At the end, she appears as a ghost to ask Paul what's happening with his show ("You make money yet?").

The production has a charming crudeness, the set consisting of moving clothes racks and transparent shower curtains, and it is acted with goofy, unpolished verve and absurdist humor. Ain Gordon has a nice hangdog charm, Valda Setterfield (playing a variety of parts, including the ambulance siren) displays engaging simplicity and David Gordon, looking like Gary Trudeau's Megaphone Mark with his generous nose and brush mustache, makes an enchanting old yenta. I should mention that David Gordon will soon be directing a play at the American Repertory Theater, so you can discount my opinion as collegial prejudice. But a lot of us had a helluva time at this show. •

The strange education of W. E. B. Du Bois

Heart and Souls

By Sean Wilentz

I.

In his mysterious *Education*, first printed in 1907, the aging Henry Adams belatedly ushered out the nineteenth century with a scientific prophecy of expanding chaos and accelerated historical time. A few years earlier his fellow New Englander, the young W. E. B. Du Bois, ushered in the new century with his poetic, equally mysterious *The Souls of Black Folk*, and with a prophecy of his own: "The problem of the twentieth century is the problem of the color line." Both prophecies still live; and some recent commentaries have suggested that Adams's and Du Bois's observations carry as many portents for the coming century as they did for the one now ending.

The two men apparently never met or corresponded. (Adams left the Harvard history department eleven years before Du Bois arrived, though Du Bois did wind up studying with Adams's disciple, Albert Bushnell Hart.) Their temperaments and their generational experiences, let alone their family backgrounds, were utterly different: the one was the chronicler of insiderhood, the other was the chronicler of marginality. Yet their careers and their legacies bear comparison. Both trained in Berlin as well as at Harvard, absorbing the new spirit of Germanic scholarship without completely enslaving themselves to its ponderous prose style. (In this respect Du Bois was the more successful of the two.) Neither intended to become a historian, and both wrote masterworks of American history, fixed on what each believed was the crucial passage in the nation's democratic development (for Adams, the administrations of Jefferson and Madison; for Du Bois, Reconstruction). Both wrote novels in which a woman was the major protagonist. More famously, both were men of autobiographical imagination, who wrote achingly of leading doubled lives, grandly equating the burdens of that doubleness with America itself.

Long after his death, Adams was remembered as an important historian, but was read mainly by professionals. His reputation revived, achieving cultish proportions, roughly forty years ago, mainly because of *The Education*. The postwar vogue for American studies picked up Adams as the great ironist of the Gilded Age; and *The Education* became an undergraduate talisman of bookish sensitivity in the beat 1950s, a declaration of alienated sophistication and the quest for an illumination—the refined sophomore's *On the Road*.

Du Bois, who lived until 1963, is now enjoying a different sort of revival. Always admired by liberals as the architect of the modern civil rights movement, Du Bois suffered in America for his fellow traveling (capped by his formal enlistment, at age 93, in the Communist Party) as well as his Pan-African nationalism. By a cosmic coincidence he died in Ghana on the eve of the famous March on Washington; and the next day, when Roy Wilkins respectfully informed

W.E.B. Du Bois:
Biography of a Race, 1868-1919
by David Levering Lewis
(Henry Holt and Co., 735 pp., $35)

Sean Wilentz, professor of history at Princeton University, is the author (with Paul E. Johnson) of *The Kingdom of Matthias*, to be published by Oxford University Press in May.

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the marchers of the news, he prefaced his announcement with a careful remark that "in his later years Dr. Du Bois chose another path" from theirs. (Less measured tributes arrived in Accra from Gus Hall, Jomo Kenyatta, Walter Ulbricht and Mao Zedong.) It took the upheavals of the later 1960s and two decades of continuing racial turmoil for a new generation of professors and critics to repair Du Bois's reputation, not simply as a propagandist and organizer but as an intellectual. Whatever else it has done, the black studies movement deserves credit for retrieving *The Souls of Black Folk* and *Black Reconstruction in America*, which belong in any collection of American classics.

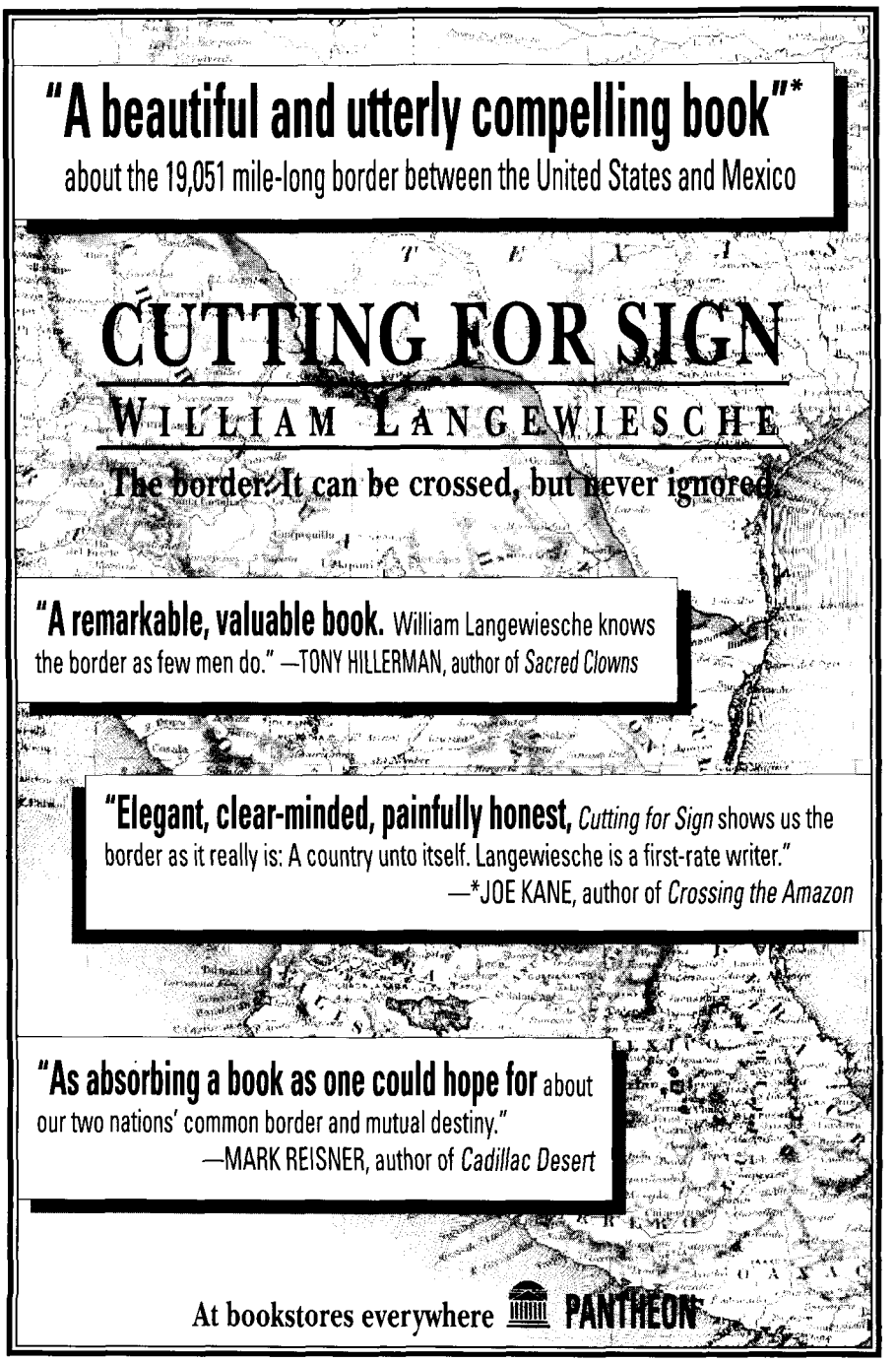
Indeed, on campus and off, Du Bois and his writings have become so respectable that they are almost impossible to avoid. Du Bois's major books and essays (although not, curiously, *Black Reconstruction*) are enshrined in the Library of America. There are endless conferences, symposia and lectures dedicated to race, race consciousness and the color line, often with Du Bois's work as their touchstone. The United States Postal Service has even issued a first-class stamp in his memory, something unthinkable even thirty years ago. And now has come the impressive first installment of the first full-dress biography, written by a well-known scholar and greeted with acclaim.

David Levering Lewis's greatest strengths are his thoroughness and his tone. Because Du Bois lived so long and wrote so often about himself—in three full-length autobiographies, one briefer memoir and numerous shorter pieces—his biographer is faced with an unusually large amount of detective work. He must first gather the facts and then judge them against his subject's own not always reliable accounts. Lewis is an expert gatherer; he presents more details than the average reader needs to know, right down to Du Bois's college courses and grades. The trickier task, which Lewis performs well, is to avoid either debunking or apologizing. His Du Bois is a man of stark polarities and huge contradictions, not least the double standards of his Victorian private life and his genuine commitments to sexual as well as racial equality. Lewis reports faithfully, often gracefully, keeping as his main narrative line Du Bois's complex rise to political and intellectual leadership, first as a scholar and agitator, then as the editor of the NAACP monthly, *The Crisis* and as a budding Pan-Africanist.

Lewis's account of Du Bois's central writings is less energetic. Their appearance is noted, as is their reception and their connection to Du Bois's personal formation and political views; their main points are explicated alongside some interesting judgments (not always friendly). Lewis pays ample tribute to the prodigious range of Du Bois's output, from the pioneering sociological study *The Philadelphia Negro* to poems and short stories. But Lewis prefers not to dally too long or to pull together his thoughts on this large body of work before picking up his narration of Du Bois's life. His contribution, in this first volume, lies not so much in advancing the case for Du Bois as a major American thinker (which Lewis plainly believes he was) as in helping his readers approach Du Bois's thinking historically. Given the superheated air that surrounds racial conversation these days, and the frequency with which Du Bois's observations on race (especially in *The Souls of Black Folk*) are invoked as timeless and authoritative, that contribution is not small.

II.

From the moment it appeared in April 1903, *The Souls of Black Folk* caused a sensation. Among black readers, James Weldon Johnson later claimed, it had the greatest impact of any single book since *Uncle Tom's Cabin*.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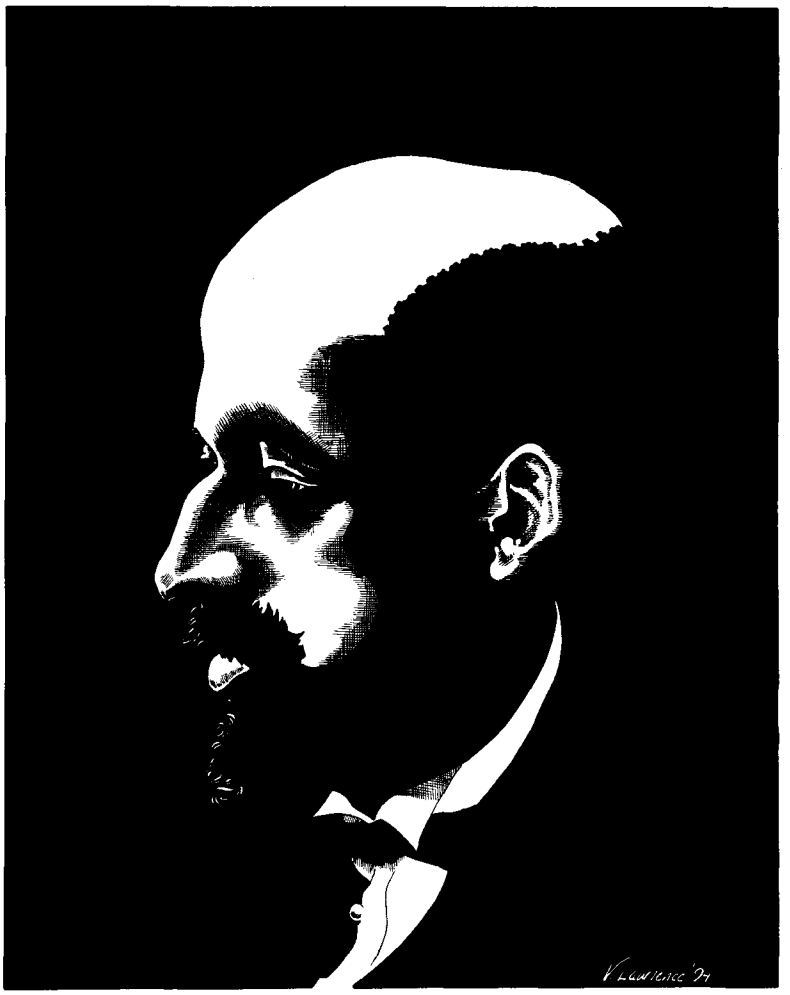
William James, Du Bois's undergraduate mentor at Harvard, dispatched a copy to his brother Henry, who privately praised it (a little backhandedly) as "the only 'Southern' book of any distinction published in many a year." In Germany Max Weber (whose lectures Du Bois attended in his Berlin days) pronounced it a "splendid" effort and went to work finding a translator. Within two months the publishers had to arrange for a third printing, as the book became the subject of discussion in periodicals across the country, with the conspicuous exception of most white Southern newspapers and those controlled by the friends and allies of Du Bois's nemesis, Booker T. Washington. For a collection consisting mainly of reworked, previously published essays on race relations and the Negro by a young sociologist and historian at Atlanta University, it was an extraordinary success, unprecedented in the history of American letters.

The flashpoint of controversy was the book's third essay, "Of Mr. Booker T. Washington and Others." Du Bois had once been an admirer of Washington—he had praised him for his famous Atlanta Compromise speech urging racial accommodation in 1895—but he had moved in a more radical direction over the previous five years. Du Bois's objections were political: he was scornful of Washington's circumspection about civil rights for blacks. But they were also cultural. Like Washington, Du Bois was appalled by the debased condition of the Negro masses, barely one generation out of bondage; but Washington's view was tainted by a fundamental pessimism about the worth of black people's cultural resources. He had little faith that black people's potential extended beyond gaining the most practical know-how about raising pigs and getting on in the world. To Du Bois, who was all for practical knowledge, Washington's pessimism was a lie, vaunting a philistine materialism that denied the black man's soul.

Or more precisely, the black man's "souls." The plural was critical to the book's larger purpose of establishing black America's cultural presence and identity. Du Bois, who as Lewis points out mounted his essays with a jeweler's precision, was very exact about his title: *The Souls of Black Folk*, not *The Soul of Black Folks*. "After the Egyptian and Indian, the Greek and Roman, the Teuton and Mongolian," he asserted in the book's most cited passage,

> the Negro is a sort of seventh son, born with a veil, and gifted with second-sight in this American world—a world which yields him no true self-consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation, this double consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness,—an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder.
>
> The history of the American Negro is the history of this strife,—his longing to attain self-conscious manhood, to merge his double self into a better and truer self. In this merging he wishes neither of the older selves to be lost. He would not Africanize America, for America has too much to teach the world and Africa. He would not bleach his Negro soul in a flood of white Americanism, for he knows that Negro blood has a message for the world. He simply wishes to make it possible for a man to be both a Negro and an American, without being cursed and spit upon by his fellows, without having the doors of Opportunity closed roughly in his face.



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

These are heartfelt, brave and seductive words, an anatomy of racial alienation unlike any that preceded it, and they thrilled and persuaded Du Bois's admirers. Indeed, the words are so seductive that even today it is easy to miss their intense ambiguity—and how they blend a painful self-consciousness with a muddled late-Victorian mysticism.

At the core of Du Bois's thinking was the fiction of the folk—"the unifying ideal of Race" that would elevate the Negro people and redeem America. In his early writings, Du Bois's racialist categories were deeply beholden to racial science, reinforced by his reading in the Anglo-Saxon school of American historiography and in the German romantic nationalists from Herder to Treitschke, his teacher in Berlin. His first important foray into the subject, in an address to the newly founded American Negro Academy in 1897, posited the existence of no fewer than three primordial and eight historic races; by the time he wrote *Souls*, he had reduced the number to seven.

White racism, he acknowledged, had led many blacks to minimize race distinctions and to seek instead full participation in a reformed, color-blind American democracy. But Du Bois thought it was absurd for Negroes in America, no less than for Mongolians on the Asian steppes, to deny the realities of race. "The history of the world is the history not of individuals but of groups, not of nations but of races," he stated emphatically. American blacks could, however, undo the unjust and unnatural subordination of their race. And for the purpose of such a transformation, Du Bois espoused, as Kwame

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Anthony Appiah has observed, "what Sartre once called ... an 'anti-racist racism.'"

The themes of racial solidarity and pride, and the rejection of assimilationism, were hardly new at the turn of the twentieth century. As Lewis notes, Du Bois's remarks belonged to "an old love-hate tradition" among black writers and activists that stretched back before the Civil War and that had become, by Du Bois's time, two distinct tendencies: an integrationist tendency, upheld most eloquently by the aging Frederick Douglass, and an emerging nationalist tendency, associated with Martin Delany, James Holly and one of Du Bois's mentors, the Rev. Alexander Crummell. (Washington, with his outward placating of whites and his ideology of self-help for blacks, seemed, in contrast to both tendencies, an exemplary moderate.) In his declarations on the indissolubility of race, Du Bois aligned himself with the nationalists, gathering their scattered perceptions into a statement of racial theory, raising that theory to the level of conventional racial philosophy and then overturning all conventions by celebrating the Negro race's capacities, achievements and strivings.

It was in these celebrations that the prose of *The Souls of Black Folk* reached its lyrical heights, foreshadowed by the pairing, as the epigram of each chapter, of a portion of "high" verse (from Byron, the Bible and so on) with a musical transcription from the black spirituals. Writing in a mélange of genres—history, fiction, biography, autobiography—Du Bois turned the everyday racist characterizations of the black peasantry on their heads. Where white Americans (and some blacks) saw indolence, mindless sensuality and an imitative culture, Du Bois discerned deep spirituality, historical purpose and sublime artistic gifts, especially in the Negro's religious music—"the rhythmic cry of the slave" and the plaintive melody of the spirituals (or Sorrow Songs), which, despite caricature and defilement, remained "the most beautiful expression of human experience born this side of the seas."

Not that Du Bois romanticized black people's condition, either in the South or in the North. Slavery, he wrote, had bred a "dark fatalism" and "a spirit of revolt and revenge" in the Negro. After Reconstruction's demise, the despair reappeared, driving the black masses into dissipated self-destructiveness while goading the better-off to flee from any sense of consanguinity and responsibility. It would take extraordinary, cultivated, prophetic heroes such as Crummell (to whom he devoted an essay in *Souls*) to raise the race. This notion of individual leadership was in tune with Du Bois's German philosophical proclivities (especially as translated into Anglo-American letters by one of his intellectual heroes, Thomas Carlyle), and it would quickly develop into his doctrine of the Talented Tenth. Yet without turning sentimental, Du Bois's retrieval of the cultural gifts of the most ordinary of the folk underwrote his case for their cultural potential and their essential unity and separateness.

Separateness, however, was not the only fact of racial life in Du Bois's America. Instead of settling for a choice of nationalism over assimilationism, Du Bois offered up a dialectic of doubleness; he wrote of a divided American Negro soul, part American, part Negro, the two parts ever in conflict with each other but headed toward an eventual merging. Although the intellectual origins of the doubleness idea remain obscure in the text, various scholars have had little difficulty in recovering them.

Emerson's essay "The Transcendentalist," written in 1843, had fixed the term "double consciousness" in New England letters as a division between contemplation and the clatter of everyday thought. A more direct influence on Du Bois was almost certainly his beloved William

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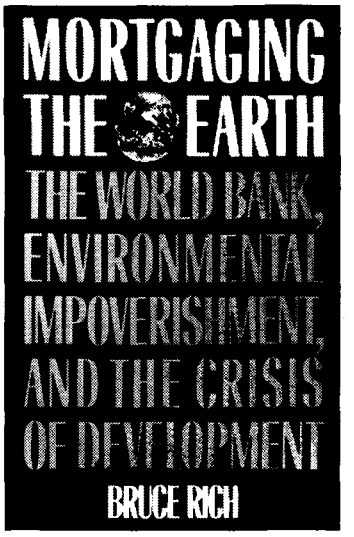

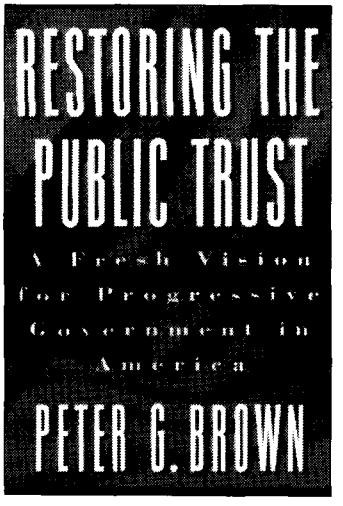

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James, whose lectures and writings on psychology used the term in a medical sense (borrowed from the French psychologist Binet) to denote the simultaneous existence of more than one consciousness in a single brain—what today is known familiarly as a split personality. And in college Du Bois would have encountered the word "consciousness," used interchangeably with "soul," in any number of idealist philosophical works. But none of his teachers and predecessors applied the idea to the social psychology of race relations; nor did they fully anticipate Du Bois's stress on the intense and constant awareness of the Negro of his doubleness.

Around this ultimately optimistic Sturm und Drang, Du Bois spun a paradoxical racial mysticism, blending Romantic motifs, black folklore and more—possibly including, as the critic Eric Sundquist has suggested, the spiritualist Madame Blatavsky's occult best-seller, *Isis Unveiled*, which appeared a quarter-century earlier. As a double-souled self, Du Bois's Negro was born with a veil, the seventh son of the races, and thus was blessed with second sight, "an intuitive quality," Lewis calls it, which enabled him to see things denied to others—and to do so, Du Bois implied, with a unique moral acuity. But this was Du Bois's most poignant point: the veil also blocked the Negro's sight and strivings, permitting him to see himself reflected only secondhand, "through the revelation of the other world," the world of whites. Thus the veil was a tragic gift, the mythic rendering of the color line.

Living behind the veil made blacks obscure to the point of invisibility to America. It united the Negro race but kept it from truly knowing itself, from enjoying American opportunity, from soaring to the blue sky of eternal and ideal knowledge that hung over all the races of man. And so, unlike the crass Booker T. Washington, Du Bois would have the Negro rip away the veil, to stand "free, free as the sunshine trickling down the morning ... swelling with song, instinct with life, tremulous treble and darkening bass." Then, in America, there would dwell "two world-races," distinct but existing in human brotherhood, the old America enriched by "lighthearted but determined Negro humility," by "loving, jovial good humor," by "the soul of the Sorrow Songs."

III.

Lewis finds "profoundly radical" significance in all of this portentousness, and it is important to see in what respects he is correct. When Du Bois spoke of America, he meant white America, by which we would mean white Anglo-Saxon Protestant America. In 1903 the United States was still prepluralist; the "official" approval of ethnicity was about a half a century away. Instead, a variety of racial categories, not unlike Du Bois's, was spread carelessly over the hordes of immigrants who had arrived from Russia, central and southern Europe and Asia. American-ness remained reserved to the Anglo-Saxons (or in some cases, as an awkward concession to the second-generation Irish, the Anglo-Saxon-Celts).

Within a decade of Du Bois's writing, Anglo-Saxon-Celtism would come under assault from numerous directions, as a younger generation of painters, newspapermen, essayists and bohemians (Lewis calls them "mainstream," but most were on the leftish edge of liberalism) found what Randolph Bourne called "transnational America" in the immigrant, big-city slums and factory towns. With no example to embolden him, Du Bois, the first African American to take a doctorate from Harvard, anticipated this cultural revolt, and he may even have directly helped inspire it.

The impact of *The Souls of Black Folk* on black American writing, and on writing about black America, is all the clearer. The descent of the imaginative treatments of two-ness, invisibility and the magic behind the veil, from Ellison to Baldwin to Morrison, has by now become a stock theme in accounts of modern American literature. But the book's radicalism, its astonishing precocity, hardly ends there. It would take more than fifty years for mainstream American historical writing to catch up with Du Bois's insights about the resilience and spiritual depth of the slaves' culture, and about the benefits of Reconstruction and the ex-slaves' role in achieving those benefits (matters Du Bois would later develop at length but sketched out in *Souls*' second essay, "On the Dawn of Freedom"). And historians have only just begun to comprehend and amplify Du Bois's claim (always in tension with his racial dualisms) that American culture has been marked, indeed defined, by black people's presence: "Your country? How came it yours? Before the Pilgrims landed we were here.... Would America have been America without her Negro people?"

Still, for all of its prescience, *The Souls of Black Folk* is also an intensely peculiar and Victorian work. Its poetic myth-making provides an alluring cover for ideas bounded by time and by their thinker's experience. From the perspective of the identity-obsessed 1990s, even undergraduates can start to pick away at the simplicities of Du Bois's "double consciousness." (Why only double? What about black *women's* consciousness? Or consciousness of region or class or skin tone? Or whatever other demographic variable comes to mind?) By such lights, Du Bois was on the right track, but he did not get nearly far enough.

A different, more challenging criticism arises from taking *The Souls of Black Folk* out of its narrow American context and assessing Du Bois, in his own terms, as "a co-worker in the kingdom of culture." On this view, Du Bois looks less like a precursor of American cosmopolitanism and more like an African American Herzl (or even an American Yeats), who transmuted Germanic nationalist romance into a nationalism of (and for) the vilified. Yet here, too, lie some of the more disturbing ambiguities and anachronisms in Du Bois's anti-racist racism. If part of Du Bois's glory was to fashion an inspired myth of The Race, a myth as compelling as anything the Anglo-Saxonists had devised, that myth was ungloriously trapped by its confused and dubious origins, a trap that Du Bois himself came to recognize and would struggle with over the rest of his life.

Initially, Du Bois's thoughts on race amounted to a jumble of received scientific opinion and cultural enthusiasm, held together by the sheer bravura of his uncompromising challenge to white supremacy. "Just exactly what race was," Lewis writes of his important 1897 address to the Negro Academy, "Du Bois never said clearly." In fact, Du Bois said that race was many things: in part a biological given, but also something more important, something akin to history or culture, arising from "differences—subtle, delicate and elusive, though they may be—which have silently but definitely separated men into groups." Yet when he came to discussing these elusive differences, Du Bois fell back on national stereotypes—the Germans as philosophers, the French as artists—that undercut his grandiose racial taxonomy. A common language, the usual Herderian line of racial demarcation, did not forge the world's blacks into a Negro race; moreover, the strivings and historical experience that Du Bois tried at times to equate with a racial essence were attributes that, according to coherent racial theory, emanated *from* racial identity, not the other way around. Although he worked very hard to avoid it, Du Bois's racializing depended on precisely the biological factors that he wished to mute, positing race as "a vast family of human beings" generally of "common blood."

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Unfortunately for such projections of the black *Volksgeist*, the scholarly and popular consensus on race science was beginning to fall apart at the very time that Du Bois was writing. That consensus was the victim of fresh anthropological departures that would eventually sever the linkage between physical characteristics and moral qualities and intellectual capacities. In his helpful review of Du Bois's racial ideas, Appiah shows that he was well-aware that thinking on the subject was changing and that, at least by 1911, he came to reject outright any biological grounding for nonphysical racial differences: "So far at least as intellectual and moral aptitudes are concerned," Du Bois wrote in *The Crisis*, "we ought to speak of civilizations where we now speak of races."

But what was the Negro civilization? What did the high-flown talk about "the shadow of a mighty Negro past" that "flits through the tale of Ethiopia the Shadowy and of Egypt the Sphinx" have to do with Americans who were descended from bondsmen born at the other end of the continent from Egypt and Ethiopia? What was it that bound Du Bois to an African fatherland when (as he would later allow in his autobiographical *Dusk of Dawn*) neither his father nor his father's father had seen or cared for Africa, and when his mother's folk ties, though closer, were still tenuous? What was it, that is, beyond the heritage of suffering and white racism—a heritage that would seem to link American Indians, Africans, Asians and all the nonwhite peoples of the world together as a single civilization?

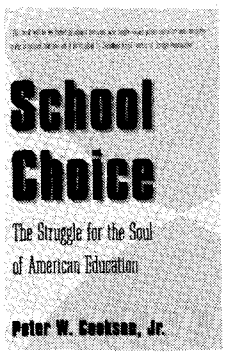
If the "folk" part of *The Souls of Black Folk* was deeply flawed, the part about "souls" was a mighty projection of a racial theme from a more circumscribed set of social and personal concerns. "Between me and the other world there is ever an unasked question," Du Bois wrote,

> unasked by some through feelings of delicacy; by others through the difficulty of rightly framing it. All, nevertheless, flutter round it. . . . To the real question, How does it feel to be a problem? I seldom answer a word.

Out of this, he constructed his account of the great black American dilemma: the refraction, and the consequent doubling, of consciousness.

But what did the vast majority of American blacks, still living in the rural South in 1903, know of unasked questions, or of existing as a problem, or of any kind of twoness at all? Identity, for them, as post-Emancipation white supremacy reached its zenith, was fixed by the all too straightforward realities of Southern racism and material poverty. As numerous contemporaries and subsequent historians would detail, their collective identity owed little enough to the white man's world, or to any complicated refraction of it. Rather, that identity had complications of its own, elaborated among themselves in a range of social distinctions—between "dictie" snobs and "no 'counts," "better folk and common folk"—that confounded the mounting white insistence that all the world was simply and eternally divided between white folks on the one hand and niggers on the other.

Indeed, as Lewis repeatedly reminds us, Du Bois spoke most forcefully for, and to, a tiny segment of black America, and not to black America generally—the sorts of people who turn up in *Souls* as the exemplary leaders of the race, from the educator John Hope to the novelist Charles W. Chesnutt to the anti-lynching organizer Ida B. Wells-Barnett. Most of them had either been born in the North, or had resettled there and come of age in the aftermath of Reconstruction. Many were college-educated. In adulthood they formed an infinitesimal, highly accomplished, professional black upper crust, "whose parents," as Lewis puts it, "had made a successful go



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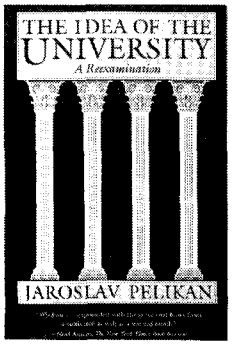

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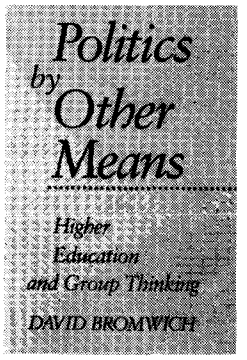

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of it in slavery times and had family silver to go with their genteel manners." By no means did they uniformly and immediately thrill to *The Souls of Black Folk*, least of all those whose dedication to racial uplift had allied them with Booker T. Washington. But it was among these professionals that black resentment of Washington ran deepest, among those who had never flinched from believing that their capacities and achievements and backgrounds made them the equals of any white man. And it was among this minority of the black minority, mixing uneasily (especially in politics) with Northern white society, that Du Bois's theme of doubleness hit a nerve.

Framed in this way, *The Souls of Black Folk* emerges as the testament to an important divide in black American life nearly a century ago, a divide shaped by starkly different regional contexts of white racism. Du Bois, the man of the expansive, industrializing, polyglot North, could not imagine any kind of racial progress short of a full-scale assault on the most formidable citadels of politics and learning. Such an assault, however, made the most sense to those in conditions fundamentally unlike those of the rural, sharecropping, one-party South. To the extent that Du Bois and Washington spoke to these different realities, Lewis argues that they effectively spoke past each other. But their Manichaean struggle would have inevitably taken place "in one form or another" even if neither man had surfaced.

IV.

Finally, the strangeness and the audacity of *The Souls of Black Folk* arose less from broad historical circumstances than from the strangeness and the audacity of its author. Du Bois pitched his arguments to his intended Talented Tenth, the "quality folk" who prided themselves on being "representative Negroes." As his ideas took shape, however, the young Du Bois may have been—and may have felt himself to be—the most marginal man in America.

The future prophet of the color line had been born, after all, a mulatto ("in blood, about one-half or more Negro and the rest French and Dutch," he claimed in one letter) in Massachusetts, the Northern state widely considered the cradle of abolitionism; but it was a state, he learned early in life, that was hardly free of racial prejudice. At Harvard he won abundant praise from his teachers; but as only the seventh man of African descent ever admitted, he felt distanced from his fellow students, by his humble class background as well as by his color—"at but not of" the place, he would later write.

In Berlin—where, Lewis observes, Du Bois spent some of the most exuberant and carefree days of his life—he soaked up all he could in the classroom, awestruck, proud, determined to make the most of his miraculous opportunity. Yet he would also hear his teacher, Treitschke, one of the intellectual founders of Prussian proto-Aryan nationalism—"the greatest of the professors," in Du Bois's estimation—explode from the podium, "Die Mullatten sind niedrig! Sie fuhlen sich niedrig!" ("The mulattoes are inferior! They feel themselves inferior!") Du Bois's Berlin notebook is filled with the generic, self-conscious angst of a precocious graduate student abroad, but with special twists and turns. Descriptions of solitary midnight ceremonies by candlelight, with prayers to the zeitgeist about fulfilling his destiny, sit alongside descriptions of mornings given over to contemplation and to singing to himself, in his German boardinghouse, "America the Beautiful" and "Steal Away Jesus." And then, after his return, and as he completed his doctorate at Harvard, America's foremost young black scholar found himself consigned in his first teaching post to the lower reaches of the black academy, at what was then the third-rate Wilberforce College in Ohio, knowing he would never teach at a white university.

Du Bois, in short, suffered a singular fate: raised by his own brilliance and good fortune to scholarly levels unreached by all but a handful of American whites, he still lived in a civilization where his color marked him as a nonperson, one who, when he traveled, rode the Jim Crow car. A man of reason, he would not forsake his reason's achievements; but the world of reason turned out to be utterly unreasonable, casting him, of all people, as a pariah. Here, with all of its idiosyncracies, was the matrix of double consciousness, and it was about as untypical an experience as could be imagined. But brilliant and arrogant as he was, and with the prestige he could command among his fellow blacks and sympathetic whites, Du Bois was able, in *The Souls of Black Folk*, to translate his personal dilemma into a universal drama of race, and make it seem convincing.

He did not stop there. Lewis's first volume goes on to describe Du Bois's growing public presence, his departure from academic life and assumption of the editorship of *The Crisis* and his growing Pan-African involvement. Lewis closes with his hero's intervention on behalf of the colonized colored races at Versailles in 1919. Still to come are Du Bois's bruising bouts with Marcus Garvey, his break with the NAACP and his turn to Marxism (and the writing of *Black Reconstruction*) and on to the admixture of civil rights work, Stalinist apologetics, Third Worldism and persecution by federal authorities that eventually led him to Ghana in 1961. Never satisfied, never at rest, Du Bois kept refashioning his alienated consciousness (and, in his continuing autobiographical works, his view of himself), carrying his wounded Victorian sensibilities and strivings to the eve of segregation's formal destruction. Over these momentous decades, however, it was always *The Souls of Black Folk* that won Du Bois the most admirers.

And so, with all its dated racialism and mytho-historical fantasies, *The Souls of Black Folk* remains the centerpiece of the current Du Bois revival, and it will almost surely endure. In its endurance, moreover, lie some of its greatest ironies. If, in its own time, *Souls* was a peculiar

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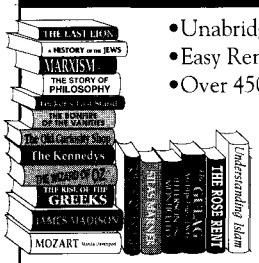

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thing, Jim Crow's subsequent demise has made its themes of doubleness and identity far more prominent, not just for black intellectuals but for a newly expanded black middle class, on whom the competing claims of racial particularism and striving for acceptance bear down all the harder. Du Bois's double consciousness may prove inadequate to these pressures—simplistic in its dualism, reducing universal ambivalences and anxieties to purely racial terms. But if *Souls* imparts a heady, uplifting love of blackness, and with that (in its more dubious passages) a fabricated racial mysticism, it also describes an act of refusal, a refusal to allow alienation to become a surrender to self-reference or to any cramped conception of race:

> I sit with Shakespeare and he winces not. Across the color line I move arm in arm with Balzac and Dumas, where smiling men and welcoming women glide in gilded halls. From out of the caves of evening that swing between the strong-limbed earth and the tracery of the stars, I summon Aristotle and Aurelius and what soul I will, and they all come graciously with no scorn nor condescension.

In his reclamation of the spirituality of the oppressed and the despised, Du Bois also wrote a paean to what nowadays is sometimes glibly stigmatized as the culture of the oppressors. For all their orotund phrasing, it took a beautiful defiance to write those words in 1903. They were an assertion of individuality as well as an assertion of race pride. Almost a century later, in a very different but still racialized America, the beauty has not dimmed. •

The Counterfeiters

BY FRANK KERMODE

The Ern Malley Affair by Michael Heyward

(Faber & Faber, 284 pp., $22.95)

Ern Malley, a Melbourne garage hand who, like Keats, wrote poems and died at 26, was the invention of James McAuley and Harold Stewart. They also created the poet's dim sister, Ethel. She it was who found the poems after her brother's death, and knowing nothing about poetry, she sent the grubby, coffee-stained pages to the Adelaide poetry magazine *Angry Penguins* in 1943 and asked for an opinion. So began what turned out to be not an ephemeral joke, not a short-running tease, but the most famous literary hoax since Swift tormented the astrologer Partridge by predicting the date of his death and describing his last hours.

McAuley and Stewart were poets of roughly the same age as Ern. When the story broke, they claimed to have written the entire oeuvre of Malley—seventeen poems, some as long as fifty lines, and all rather obscure—in one afternoon and evening. It is possible to doubt the truth of this claim, since at least one of the poems was a serious but discarded early effort by McAuley, and there are unconfirmed reports that other material from his old notebook also got into Malley's poems. It is likely that Stewart made a similar contribution. Michael Heyward, the author of this intelligent, thorough and only occasionally overelaborate study, knows all this—indeed, he knows pretty well everything about the case—but still he accepts the hoaxers' claim; and Stewart, the surviving half of Malley, continues to affirm it in his voluntary exile in Japan.

The object of the prank was to discredit *Angry Penguins* and its editor, Max Harris. Harris was an economics student at Adelaide University, an enterprising, rather hectic literary man with a taste for Rimbaud, Blake, surrealism and the current English Neo-Apocalyptic school, whose magazine, *Poetry London*, had covers by Henry Moore. *Angry Penguins* had covers by Sydney Nolan, who was later to become the most celebrated of Australian artists, and a lifelong admirer of Malley.

Harris's response to the poems was immediate: he had no doubt that Australia had found its poet, and that he, given the heaven-sent opportunity to make the fact public, was the right impresario. The poetry was strange, but certainly modern. The dead poet had left a powerful "Preface and Statement":

> These poems are complete in themselves. They have a domestic economy of their own and if they face outwards to the reader

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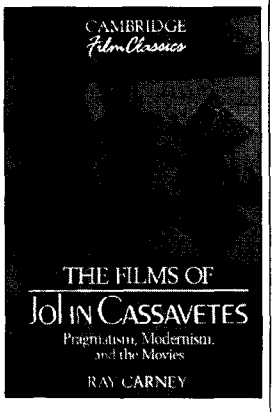

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that is becau[illegible] have first faced inwards to themselv[illegible]ery poem should be an autarchy.... Simplicity in our time is arrived at by an ambages....

Delighted, Harris fell upon the verses:

There are ribald interventions
Like spurious seals upon
A Chinese landscape-roll
Or tangents to the rainbow.
We have known these declensions,
Have winked when Hyperion
Was transmitted to a troll.
We dubbed it a sideshow.

There were passages in which he could trace the influence of Mallarmé:

The solemn symphony of angels lighting
My steps with music, o consolations!
Palms!
O far shore, target and shield that I now
Desire beyond these terrestrial
commitments.

There was the enigmatically Shakespearian "Boult to Marina":

Only a part of me shall triumph in this
(I am not Pericles)
Though I have your silken eyes to kiss,
And maiden-knees
Part of me remains, wench, Boult-upright
The rest of me drops off into the night.

What would you have me do? Go to the wars?...

And carefully placed on the top of the pile was the best poem in the collection.

Nobody had the slightest idea that the act of sending a bundle of fake poems to an obscure poetry editor would excite the wartime press in Australia, and also the Anglophone world at large. To give the hoaxers their due, they could not have foreseen that Harris would suffer so much from ridicule, most of it totally ignorant, since the hoaxers acquired allies, in the popular press and the poetry-unloving Australian public, that they could not have wanted. Worse still, Harris had to stand trial in September 1944 for publishing obscene poems, not least "Boult to Marina."

Heyward gives a good account of the trial, surely one of the most preposterous in the preposterous history of such prosecutions. The evidence of Detective Vogelsang, the principal prosecution witness, was discussed with hilarity for years to come. It was he who found the word "incest" to be indecent, though he confessed that he did not know what it meant. Sniggering in court, no doubt: but the trial was still a cruel ordeal for the young man. Apparently Harris narrowly escaped a charge of blasphemy, which would have been even more serious. In the end he was found guilty and fined £5 in lieu of six weeks in prison.

Harris did well enough at the trial, and Heyward gives him proper credit for his general demeanor throughout the protracted and sometimes rather frightening events of those months. He was an excitable fellow, and often tiresomely flamboyant; his novel, *The Vegetative Eye*, was a grotesquely affected and truly awful book. It is easy to see why the learned and satirical McAuley, always, in matters related to poetry, censorious and austere, should want to teach Harris a lesson. He disliked Harris's posturing and his taste for the obscure and the apocalyptic in poetry, having decided that the future required clean, ironic use of traditional forms.

But Harris admirably declined to be put down. Hoax or not, these poems were, he maintained, important poems, and if they were produced unintentionally by rival poets whose beliefs and works he despised as much as they did his, that fact had no bearing on their quality. Or it merely showed that they wrote better when they were not constrained by their false assumptions. Harris never lost his faith in his first excited valuation of the Malley poems ("a terrific discovery ... among the most outstanding poems I have ever come across"), which was supported by the powerful voice of Herbert Read in England, and by John Ashbery and Kenneth Koch in the United States. "I like the poems very much," Ashbery is reported as saying. "They reminded me a little of my own early tortured experiments in surrealism, but they were much better." Of course most people, whether they had read the poems or not, were gleefully sure Harris had been had. It may be that nowadays fewer readers would feel so confident that he was absurdly wrong.

It happened that I was in Australia during much of 1945. The carrier on which I served was dispatched from the Atlantic theater, which was closing down, to the Pacific, which wasn't. Henceforth we would be based in Sydney. Almost on arrival, and entirely by accident, I met A. D. Hope, then around 35 or 36, who enjoyed a big underground reputation as the author of verse mostly erotic but severely traditional in form, and a more public celebrity as a reviewer of exceptional ferocity. Hope's verses circulated in a pamphlet, printed on brown wrapping paper and shared with two other less impressive writers. To a very young man with his own poetic aspirations, Hope was a most impressive figure, wild in behavior but quiet of speech, with that soothing accent that Australians develop after a couple of years at Oxford.

Since I often stayed at the Hopes' place in Manley, near Sydney, I came to know McAuley. He was about ten years Hope's junior, and although he was himself of strongly independent intellect, he tacitly regarded the older man as his mentor. McAuley was at this time, rather reluctantly, in the army. He had been in New Guinea, but much of his service had been in sedentary jobs, and he had been able to carry on with his poetry and his other comparably severe intellectual interests—philosophy and theology. Conversation between the two poets, despite the flow of liquor, was impressively learned and lengthy, with Mrs. Hope and me for the most part discreetly silent.

Hope had been a pupil of Christopher Brennan, a dissolute poet of immense and arcane learning and once a frequenter of Mallarmé's Tuesday salon: a *mardiste*, no less. He taught French at Sydney University and was said to lecture propped up by two porters. Brennan's poetry was at that time practically unobtainable, and this was regarded as a national scandal, for he was declared to be the true father of Australian poetry. Much later his collected poetry was published, but it failed to set Sydney Harbour on fire, perhaps because the mood had changed and Australians no longer cared to think of themselves as second-rate Europeans, needing to re-establish in exile the culture that they lost; or perhaps because Brennan's reputation owed something to the principle *omne ignotum pro magnifico*, and faded a little when the work became generally available. Fifty years ago there was no doubt in Hope's mind, or McAuley's, as to the identity of their cultural heritage: they took pride in their European learning and they deplored both the ignorant antics of exhibitionist fellow poets and the philistinism of Australian life generally.

Curiously enough, Harris and his friends and contributors had similar aspirations, despite their different methods and attitudes. They latched on to British and European intellectual fashions, but they did so in a sophomoric way that disgusted Hope, who wrote a savage review of *The Vegetative Eye*. He was naturally sympathetic to the Malley jape, and I have always suspected that he played a bigger part in it than he acknowledged, or than Heyward claims.

I never met Stewart, but I recognize the McAuley I knew in the ample biographical account that Heyward provides. He was an intellectual hard man, with a deploring satirist's face, a brow of contempt; there was in his manner a sort of perpetual reproof, kept ready, as it were, to deal with those manifestations

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of intellectual softness or vacuity that are always, given the decadent state of our culture, on the point of occurring. He was extremely well-read, a good musician—a good jazz pianist—and very agreeable company; but he seemed to have a permanently exacerbated sense of being surrounded by fools and ignoramuses. He was later to convert to Roman Catholicism, move rapidly to the right and edit the CIA-sponsored journal *Quadrant*.

He and Stewart already knew each other, but they were brought together in the army by an extraordinary man called Alf Conlon, who ran a sort of autonomous army unit and made it his business to keep talented young men out of danger. It was on an idle afternoon in Conlon's outfit that Stewart and McAuley compiled the Malley poems. Early accounts claimed that they had thrown in anything on hand, such as sentences from an official report on the lifestyle of New Guinea mosquitoes. This they had indeed drawn upon: "'Swamps, marshes, borrow-pits and other / Areas of stagnant water serve / As breeding grounds...' Now / Have I found you, my Anopheles!" But the implication that all of the Malley poems were made up of such random scraps is false.

There are parodies, more or less remote, of Mallarmé, Pound and Eliot—they might even be called, more grandly, "allusions" to those poets—and there are even McAuley parodies of Stewart and vice versa. The hoaxers may have worked fast, but they were so talented and so habituated to poetry that they failed to produce the total garbage that they intended.

This made the hoax a bit unfair. Harris had his faults, but he wasn't completely wrong to find merit in Malley. He did go over the top, proclaiming his discovery of a great poet, conducting an earnest correspondence with Ethel about her genius brother, producing a special edition of *Angry Penguins* and later a slim volume of the collected Malley called *The Darkening Ecliptic*. He fell; but not so hard that he deserved the fate he got. It was particularly gross that the final revelation of the hoax was made in June 1944, nine months after Harris first saw a Malley poem, in the supplement of the *Sydney Sunday Sun*. This was simply throwing him to the Philistines, to the natural enemies of the small artistic community: the "wowsers," as Australians used to call them. They needed no inducement to jeer at poetry, and they were not up to discriminating between Harris's take on European modernism and the more researched and temperate lucubrations of Hope and his friends, who cannot have thought, incidentally, that they themselves would have fared any better at such hands.

The hoaxers produced effects that they had not meant to cause, but they must have known that they had cheated by attributing good poems or good lines to Malley. To fool Harris honestly, they should have taken care not to include anything of merit; but they may have suspected that they wouldn't get away with that. Thus the Malley hoax was not quite the knockout that it seemed at the time, and there was a degree of arrogance in its perpetrators, and even a certain blindness, for they might have been expected to see that they had worse cultural enemies than the poets with whom they disagreed. Still, it was good, in the midst of the Pacific war, to find such people—so talented, so serious about poetry, that they could not be anything but savagely derisive of men with pretensions to culture who were in fact, so as they believed, its enemies. Of course, I was very young, but I was right to be impressed.

When I flew back to England in December 1945, I left behind with my luggage a complete set of Malley documents: the famous issue of *Angry Penguins*, a copy of *The Darkening Ecliptic*, reports of the Harris trial at Adelaide,

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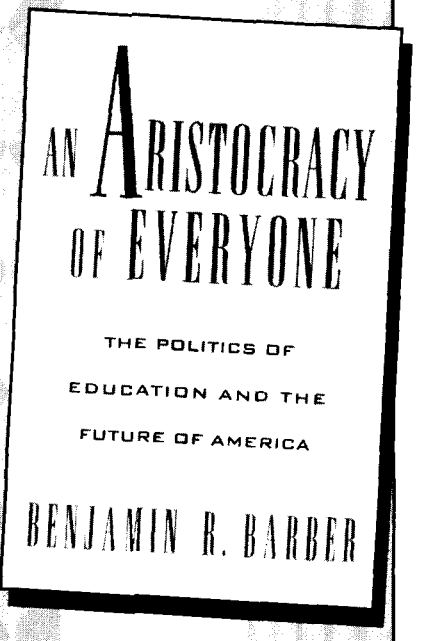

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even the scarce and crumbling brown paper pamphlet of Hope. All were lost with the rest of my gear, so I never wrote, as I had intended, about the case. Heyward, who wasn't even born at the time of the hoax, knows a great deal more about it, about the authors and their methods of composition, about Conlon, about Harris and his circle and his backers. He has done a good and even an important job; but all the same he misses some things.

All will admit, for example, that Malley's opening poem, "Durer: Innsbruck, 1495," is at least not bad, and might be thought better than that:

> But no one warned that the mind repeats
> In its ignorance the vision of others. I am still
> The black swan of trespass on alien waters.

An editor might reject that poem, the first in the collection, but surely he could not be expected to see it as a hoax, as an attempt to show that he or she lacked discrimination. Heyward is good at spotting sources, but occasionally he makes the mistake of believing that having done so he has demolished the dependent poem. Thus an ingenious Audenesque pastiche, "Rise from the wrist, o kestrel," and the Poundian quatrains of "Poetry: the loaves and fishes" are dismissed simply as jokes about rhyming. Oddly enough, some of Hope's finest poetry, greatly admired by McAuley, is pastiche, such as the beautiful Venetia Digby verse-letter, modeled on an early seventeenth-century epode form. McAuley was a cradle classicist, and must have known good poetry could be written in this way. "Boult to Marina" is also, I think, a real poem; it got Harris into trouble because it was foolishly accused of obscenity, not because he was wrong to like it.

Of course there is a lot of rubbish in *The Darkening Ecliptic*, but if it had been all rubbish, people would not now attend to it. It has gone into several editions; it has been the subject of lengthy investigations on Australian radio; it appears in anthologies of Australian verse; and it is here reprinted in full by Heyward. It is continually discussed by a new generation of Australian poets, wanting or not wanting Malley to be part of the present and future of Australian poetry, accepting or discounting the interest of the Americans and the British.

Meanwhile the fame of Hope, now a very old man, seems a little dimmed. McAuley is dead, and Stewart, who goodhumoredly but detachedly obliged Heyward with his memories and his present views of the affair, has moved into another world. I last saw Alec Hope in 1988. He sat, benign but still sharp in spite of his deafness, in the big A. D. Hope Building at the National University in Canberra. Among other things I asked him what had become of Cordukes. Cordukes was an amiable timber merchant with an interest in poetry. I met him on my first night in Sydney, when he nearly ran me down. He stopped to expostulate and we fell into conversation, as a result of which I became familiar with his interests and could share the hospitality that he extended to poets. I had heard that right after the war he risked his all on a cargo of Russian timber, which the Sydney dockers refused to unload; the ship went home to Russia and Cordukes disappeared from the scene. So I asked my question about Cordukes. Hope, who probably hadn't heard the name for forty-odd years, softly replied that he had no idea what had become of him. Yet generous amateurs of poetry are not so common that poets should forget them.

I remembered Cordukes, of course, since it was he who brought me to Hope, and so to the hoaxer McAuley.

McAuley I last saw on a hectic day in 1967. Another hoax had been exposed, the covert funding by the CIA of certain magazines. We met in London, in the office of *Encounter*, a journal from the same stable as the one that he edited. He was moderately cheerful, and twenty-odd years seemed to have reduced his abrasiveness, and perhaps also his poetry. I don't think we talked about old Sydney and the hoax; he must have had enough of it by then. He died in 1976, in his late 50s. There is a sense in which young Malley, saved from oblivion by his barely literate and wholly fictitious sister, Ethel, with some help from Harris and the hoaxers and even from the *Sydney Sunday Sun*, has unexpectedly stayed young and lively, as his betters decline into old age and death.

FRANK KERMODE is the author most recently of *The Uses of Error* (Harvard University Press).

Brain Twister

BY ISRAEL ROSENFIELD

The Astonishing Hypothesis: The Scientific Search for the Soul by Francis Crick

(Scribner's, 317 pp., $25)

In his new book, Francis Crick sets out to challenge the very ancient claim that mind has a source external to the brain or body, much as Freud challenged the simple-minded, nineteenth-century academic psychologists' view that we are incapable of self-deception. Professors of psychology once held that we can and do know ourselves, and that when we talk about ourselves we are either knowingly telling the truth or knowingly lying. The idea of the unconscious was Freud's answer to nineteenth-century psychology, just as the complexity of brain function is Crick's answer to those who hold that mind has a nonmaterial source.

Contrary to his popular image, Freud, like Crick, did not believe that he had the ultimate answers about the nature of human psychology. Freud knew that his own theories and definitions would have to be replaced. In 1914 he wrote,

> We have often heard it maintained that science should be built upon clear and sharply defined concepts. In actual fact, no science, not even the most exact, begins with such definitions.... It is only after more thorough investigation of the field of observation that we are able to formulate its basic scientific concepts with increased precision, and progressively so to modify them that they become serviceable and consistent over a wide area. Then, indeed, the time may have come to confine them in definitions. The advance of knowledge, however, does not tolerate any rigidity even in definitions. Physics furnishes an excellent illustration of the way in which even "basic concepts" that have been established in the form of definitions are constantly being altered in their content.

His psychological theories would have to undergo radical changes in the future, Freud admitted, because of "the total absence of any theory of instincts that would help us find our bearings." Crick writes in the same commendable spirit: "It is better to avoid a *precise* definition of con-

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sciousness because of the dangers of premature definition. Until the problem is understood much better, any attempt at a formal definition is likely to be either misleading or overly restrictive, or both."

When Watson and Crick set out to discover the structure of DNA, they knew they were looking for a mechanism that could explain how inherited traits were passed from generation to generation. Unfortunately, we have no comparable ideas about the brain. "What is disappointing," Crick writes,

> is that, at the moment of writing, there does not appear to be one set of ideas that click together in a convincing way to make a detailed neural hypothesis that has the smell of being correct. If you think I appear to be groping my way through the jungle you are quite right. Work at the research front is often like that.

Crick is right; we don't really know what consciousness is. We don't know what we are looking for in the brain and we are not sure about the exact nature of the phenomenon we are trying to explain.

Yet we do have some vague ideas about consciousness. "Everyone has a rough idea of what is meant by consciousness," Crick writes. But he never tells us more than what was "already current" nearly 100 years ago, namely that not all operations of the brain are conscious, that memory is essential to consciousness and that it is associated with attention. It is never easy to derive general conclusions about consciousness, and Crick is wise not to try. Still, by limiting his focus to studies of visual awareness, and hesitating to draw speculative conclusions from those neurophysiological and psychological studies, Crick has failed to advance the discussion of consciousness in any meaningful way. His main concern is to convince the reader that neuronal activity is the basis of mind—his "astonishing hypothesis." Most of us will find nothing astonishing about this idea; those who do will probably not be convinced by Crick's book.

For Crick shares the widely held view that, for visual awareness to be possible, the brain must make explicit much information that is only implicit in the patterns of light falling on the retina. The brain "must produce a *symbolic description at a higher level*, probably a series of higher levels." Thus the brain may make sense of the variations in light intensity in the retinal image by assuming that these variations represent edges and physical changes in the contours of objects. Of course, variations in light intensity are not always indications of edges and contours, and the brain therefore must use many different strategies to create a coherent visual image. The neurophysiological mechanisms that have been dis-

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covered over the past few decades, and that Crick details in his book, give us good reason to believe that different parts of the brain's visual system simultaneously perform different and complementary analyses of retinal information. But the problem is, as Crick notes, that "we can see how the brain takes the picture apart, but we do not yet understand how it puts it together." If this is true, however, then what does Crick really have to say about visual awareness, the main subject of his book?

Unfortunately, since he advances no clear ideas about consciousness, he concentrates instead on a search for the neurons that are responsible for awareness. Some of this discussion is quite interesting, but it is inevitably very inconclusive. He notes, for example, that experiments have shown that neurons known to respond to specific visual features do so in both a waking and a sleeping monkey; but when the animal is awake other neurons are active as well. Interesting, too, is his claim that memory is probably necessary for all forms of consciousness, and his suggestion that reverberatory circuits create very short-term memories that may be important in an immediate form of awareness. But the larger implications of this idea are lost because of the inadequacy of his discussion of consciousness.

In fact, 100 years ago there were more sophisticated ideas about consciousness than Crick suggests. William James's famous phrase, "the stream of consciousness," was his way of stating that one of the central problems of consciousness was temporal flow, the sense of continuity that, incidentally, was also one of the arguments Freud gave for postulating the existence of the unconscious. ("Conscious acts remain disconnected and unintelligible ... [unless] we interpolate between them the unconscious acts which we have inferred.") The idea that even immediate awareness requires memory is just another way of saying that all consciousness has a temporal flow, a continuity. It suggests that a newborn infant does not become conscious until his brain has been able to establish some body of "memories," some organization of the stimuli to which he has been exposed at birth.

The broader sense of continuity that is so much a part of a child's or an adult's sense of consciousness depends on long-term memories, and ultimately on learning, on the ways in which information has been acquired. And since memory and learning are so critical to creating consciousness, conscious awareness is neither a direct perception of our surroundings (like an instant photograph), nor a simple reproduction of a stored image (or we would not be aware of our immediate surroundings). Consciousness is the transformation of "memory" and immediate stimuli into a form of knowledge that has a temporal flow; it is neither the past nor the present, but both transformed. "Our thought," David Hume wrote in 1779, "is fluctuating, uncertain, fleeting, successive and compounded; and were we to remove these circumstances, we absolutely annihilate its essence."

The importance of memory and learning is particularly evident in the study of visual awareness. But the first famous "experiment," one that continues to puzzle us today, Crick fails to mention. In the late seventeenth century William Molyneux asked John Locke if a man born blind who later recovered his sight would be able to see. Both Molyneux and Locke agreed that he would not. Then in the 1730s an English surgeon, William Cheselden, operated on a 13-year-old boy who had been born with congenital cataracts. Locke and Molyneux were proved wrong. The boy could see. His visual world, however, was not normal. He was unable to judge distances or the sizes of objects. His room appeared as large as his house, though he knew this did not make any sense. He could see portraits hanging on the walls, but was surprised to discover that the faces were flat. And he could recognize objects in two-dimensional drawings, but, again, their flatness did not make sense to him; they appeared to be in three dimensions.

Similar operations have been performed some twenty times since with the same unfortunate results. Two-dimensional representations profoundly disturb patients who regain their sight, because they appear to be in three dimensions. When the patient touches the drawing with his hands he discovers that it is flat and this is something he cannot understand. Recently, a patient who had regained her sight reported that colors did not appear to be a part of objects, but floated like amorphous clouds above the objects. Again, the patient found this very distressing.

These cases tell us that the ways in which we learn to see—the acquisition of sight—determine how we see and what we see. Our sense of distance, size and three-dimensionality is acquired when visual stimuli are integrated with our sense of touch, a sense that generally depends on movement. Blind individuals use movement when they explore their surroundings with their hands, and thus make sense of the objects they explore. The only world they can know through touch is three-dimensional. Hence when they acquire sight it is apparently too late for the brain to integrate visual information with the tactile information gained by moving their hands. (Even their newly acquired and limited sense of a visual world depends, as in those born with sight, on the movements of their eyes. Our eyes are in constant motion. If we hold them still with our hands, visual awareness of our surroundings will soon cease to exist.)

Crick apparently thinks it is possible to analyze visual awareness as an independent brain function. But this approach is misleading. Movement appears to play a critical role in the acquisition of visual awareness; and it may be essential in adult visual awareness as well. Indeed movement may play a critical role in the

My Mother and Father

They stand by the empty car,
By the open driver's door,
Waiting. The evening sun
Is glowing like pig-iron.

His red face hardens, goes flat
As if he's been told something
He doesn't want to hear
Or worry Mother about.

His faded denim work-shirt
Hangs loose under his arms.
The holes burnt through the sleeves
Are ash-rimmed like his eyes.

She's wearing the new housecoat
That made her hands and feet
Disappear, and now her hair
Has tarnished like her silver.

As if ready to sing,
Her pale face trembling,
Softly, clearly, she says,
Where are we? We can't remember.

I say, *May I drive you somewhere?*
But they don't hear my voice.
We don't know who you are,
She says, and we stand there

Beside old tumbleweeds
Caught in a chain-link fence,
By the barbed wire and concrete
And slag in the rusty water.

DAVID WAGONER

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organization of all sensory information. One of the most dramatic neurophysiological studies of the past decade, though not discussed by Crick since it is not directly concerned with vision, has shown that the brain constantly reorganizes its representation of sensory information; a critical factor in this reorganization is motor activity. The neurophysiologist Michael Merzenich and his colleagues trained a monkey to make repeated use of its middle finger; information from that finger "invaded" parts of the brain that had formerly represented sensory information from the index and ring fingers.

The brain is constantly changing its way of treating sensory stimuli. It is, Merzenich has said, "a network that is continually remodeling itself." While this hardly explains the ways in which our everyday psychology changes over time, it begins to suggest a neurophysiological basis for those changes. The monkey's repetitive use of its middle finger alters the functions of the index and ring fingers, just as new experiences and new ideas alter our understanding of our past thoughts and actions. The brain is an enormous learning machine and learning is at the heart of our awareness of our surroundings; the pattern of acquisition of knowledge, the ways in which we have learned, will determine the ways in which we can understand our surroundings in the future.

Central to learning, then, is our motor apparatus. Even language and thought may depend upon it. Merzenich and his colleagues implanted special hearing devices (cochlear implants) in people who had become deaf. At first the patients heard a confusion of sounds. Merzenich then read a list of words that the patients were asked to read aloud along with him. When they could *hear* the words, using the same technique, he read sentences and eventually entire texts with them. Surprisingly, after several months the patients could once again hear and understand speech. The motor activity of their vocal apparatus had organized their auditory worlds, just as our movements as a child organize our visual worlds.

Some of the subtlety of this relationship between language and motor activity has been revealed by recent studies of patients who, following brain damage, have difficulty speaking, understanding speech and reading. These patients are unable to produce or hear complex combinations of sounds essential to language (for example, "ba," "da"). If, on the other hand, the speech sounds are uttered very slowly the patients can make *sense of them*. The rapid rhythms, so characteristic of speech, that are essential for motor coordination within the vocal apparatus (or the equally rapid motor acts of sign language) are beyond the capacities of these patients. It is interesting that the inability to produce the rapid motor acts leads to an inability to read and to understand normal speech.

Among the deep implications of these studies is not only the importance of motor activity in the organization of our sensory and linguistic experience, but the importance of timing, of temporal flow (an essential element of all motor activity), in the brain's making sense of what we hear, see and touch. We know the world not as a series of disconnected, isolated moments, but as a continuous flow of events and perceptions. What we see at any moment is not independent of what we saw a moment before, just as our more general awareness of our surroundings is the consequence of individual histories. This is why memory is an essential part of immediate consciousness. And this is why conscious knowledge is different in kind from reproducible information, such as photographs, or information stored in computers. The recent neurophysiological discoveries suggesting that the brain is constantly reorganizing itself, the studies that Crick has oddly failed to mention, are beginning to give us good reason to believe that we may one day understand the neurophysiological basis of thought and action. I find them more compelling evidence for Crick's "astonishing hypothesis" than much of what he discusses.

But science is always a bag of surprises, and perhaps Crick's caution is justified. We know too little about ourselves. And given our ignorance we have, as Crick notes, an

> almost limitless capacity for self-deception. The very nature of our brains—evolved to guess the most plausible interpretation of the limited evidence available—makes it almost inevitable that, without the discipline of scientific research, we shall often jump to wrong conclusions, especially about abstract matters.

Our brains must have, as Crick writes in a delightful but brief afterword on free will, a mechanism for confabulation, a mechanism for inventing apparently reasonable explanations in spite of our ignorance. Hence the arrogance of religions and even of some scientists, an arrogance that Crick has so admirably avoided. Still, it is unfortunate that he did not give us more of the kind of speculations with which he graced the final pages of his book.

ISRAEL ROSENFIELD's most recent book is *The Strange, Familiar and Forgotten: An Anatomy of Consciousness* (Vintage).

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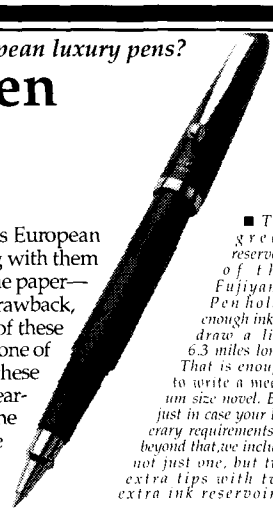

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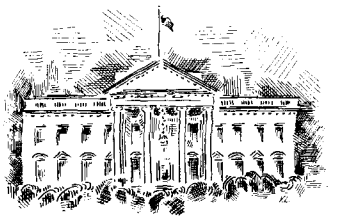
Overqualified

UNLESS A SUPREME COURT NOMination falls from the sky, federal judges are rarely evaluated by cool-eyed critics. And so my heart leapt the other day when Federal Express brought a 126-page report from the Chicago Council of Lawyers reviewing the performances of the fifteen judges on the Seventh Circuit Court of Appeals. But the lawyers have an ax to grind. Their oddest conclusion is that Richard Posner and Frank Easterbrook, two of the most celebrated judges in the country, are in fact two of the least professional judges on the court. Both men are taken to task for displaying "a contempt for attorneys, and to some extent, the litigants as well." In the wounded tones of an unloved child, the report complains that "demeaning criticisms of well-intentioned counsel who are doing the best they can ... is not constructive." And it ventures that "some of Chief Judge Posner's weaknesses ... might stem from his lack of a background in the practice of law." I've admired Posner's writing for years and, screwing up my courage, asked to meet him during a recent visit to Chicago; when he invited me to stop by his house on a snowy Saturday morning, I felt as nervous as the Council of Lawyers sounded.

THE BRICK TOWNHOUSE IS A FEW blocks from the faculty club on the University of Chicago campus; and the tall, balding man who answered the door, in his tan corduroys and gray crewneck, looked like a friendly antitrust professor. But then he sat on the flowered couch in his living room, underneath a set of Leonardo reproductions and near an upright piano displaying a sentimental ballad called "Am I Alone?," and began to talk. In a calm, surprisingly high-pitched voice punctuated by an injudicious giggle, he continued to talk for two hours. And as he talked, to my embarrassment, images of Oliver Wendell Holmes came helplessly to mind. Posner's ability to idle away a morning in pleasant chatter while sustaining his relentless productivity—a book every other year, on topics from law and literature to sex and reason—is part of his mystery. It's not clear how he produces seventy-seven judicial opinions each year (the national average is twenty-eight) in half the time other judges require; but he works most evenings, from dinner until midnight, and then takes a moonlight constitutional with Mrs. Posner around Hyde Park.

HE SHARES HOLMES'S APPETITE for gossip; but his cheerful contempt for dimmer judges, including several of the worthies on the Supreme Court, seems less a mark of arrogance than of candor. "I say outright what other judges prefer to keep under their hat," he told the Chicago Council of Lawyers. "That is why my opinions strike some lawyers as being outside the professional groove." Using the same methodology Posner used in his study of the reputation of Benjamin Cardozo, the Lawyer's Council tabulated the number of times other circuits have cited Posner's opinions. By this standard, Posner is easily the most influential judge in the nation, averaging 273 citations each year, or more than four times the national average of sixty-six citations. In a perfectly meritocratic world, a delegation of senators from both parties would fly to Chicago with a signed Supreme Court commission and lay it respectfully at Posner's feet.



BUT IN THE MIDDLE OF A STARstruck swoon, I remembered a reservation. It's hard to avoid the suspicion, after reading and talking to Posner, that he does not believe very wholeheartedly in law. He prefers the "cynical acid" of empirical analysis to abstractions about legal rules and legal rights. (Posner notes that Holmes, too, believed in policy analysis, but lacked the patience to do it.) The Chicago Council of Lawyers puts it mildly when it calls Posner a "legal realist who gives little weight to history and is famously derisive of original intent." (See Posner's "What Am I, A Potted Plant?" TNR, September 28, 1987.) In *The Problems of Jurisprudence* (1990) Posner confesses that "political factors, and sometimes social visions, are decisive in the most difficult cases"; and he endorses Holmes's dark aphorism: "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law."

CRITICS AND ADMIRERS HAVE noted the affinities between Posner's no-nonsense pragmatism and the radical skepticism of the critical legal studies movement, although Posner disavows the "left-of-center politics" characteristic of the crits. But there's something exhilarating and unsettling about the image of Posner, presiding by day over the Seventh Circuit and squirreling away hours at night to pound out his subversive books on the indeterminacy of law. When I asked Posner about the irony, he chuckled and then demurred, with surprising tentativeness. Judges are restrained by law in two senses, he said. They have to be impartial, in that they can't decide even close cases on the basis of personal sympathy for the parties; and unlike moral philosophers, they have to try, for reasons of efficiency if nothing else, to maintain a legal fabric that includes considerations of precedent, legislative authority and the facts of each case. (Posner stressed, however, that the gray area where precedents give no clear answers is wider for him than for other judges.) On this score, Posner's next book may not be entirely reassuring. The working title is *Overcoming Law.*

AS NOON APPROACHED, POSNER put on his ski hat and sunglasses and walked me over to the faculty club, where I met his controversial colleague, Frank Easterbrook. Although he joins forces with Posner in most cases (and was Posner's partner in an antitrust consulting firm in the 1970s), Easterbrook embraces strict construction and constitutional literalism with the same fervor that Posner rejects them. "Judge Easterbrook communicates a lack of appreciation of the litigants as real human beings with real-life problems," the lawyers pout. With his bristling beard, blustery manner and blue denim Walt Disney World work shirt, Easterbrook is indeed a more frightening character than Posner. But Easterbrook's famous temper pales before the tantrums of Learned Hand, who once became so exercised during an oral argument that he hurled his briefs across the bench. Hand, of course, would never have made it to the bench if he had been subject to the "merit selection" checklist recommended by the Chicago Council of Lawyers: "litigation experience in complex matters" (Hand was a disaster as a litigator); "administrative skills;" "increased racial and gender diversity;" and so forth. And Posner himself was lucky to get by. When his nomination was announced in 1981, the American Bar Association grudgingly rated him "qualified."

JEFFREY ROSEN

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

The Chicago Reform

For many years, when I talked to principals and superintendents in large urban school districts where youngsters were not doing very well, I'd hear the same thing. They'd tell me they had a new plan or policy or initiative that was making a tremendous difference. You couldn't see any difference in the test scores, they'd say, but that was not the whole story. If I would only go into the schools, I'd see kids smiling, and I'd feel the warmth in the classrooms. That would tell me a whole lot more than test scores.

The report offers enthusiastic quotes from students and teachers but no data or discussion about student performance.

There were always some hard-nosed reformers who didn't buy that idea. They insisted that you had to judge the success of schools by the results—how well students performed. Some of these people were key players in creating the big Chicago school reform in 1988. This removed much of the authority from the central school board and brought it down to the school level, creating councils of parents and teachers and community members with the authority to hire and fire principals, spend money and establish curriculum—in other words, it introduced the kind of school-level empowerment that many believed was needed if we hoped to improve student learning.

What's happened? Several months ago, I was in Chicago with a group that was looking at the reform. With us were the key players who had always pushed the idea that the important thing was test scores—if you didn't have good test scores, the kids weren't learning. I asked them, "Now that the law's been changed so that parents and teachers and the principal are in charge of what goes on in a school instead of a bunch of central office bureaucrats, have the test scores gone up?" What I got from these people—those who were leaders in this revolution—was a variation of what I used to hear from principals and superintendents: "No," they said, "the test scores haven't gone up, but you should see the children smiling—how active and happy they are—and how the school councils are working together to make some very exciting changes."

That's basically what a big report these people did on the Chicago reform also said, except it used a lot of data and a scholarly apparatus. The report told us that reform is fragile but it is coming along. It classified four different types of school politics and five different types of school improvement initiatives. It found that small schools were more likely to be undertaking ambitious reforms than larger ones and said how good it is when people work together. But the report ducked the question of whether or not any of the changes were beginning to achieve what the reform intended—raise the achievement of Chicago's students out of the cellar.

Is student learning better in schools where there are democratic school councils or in schools where the principal runs the show? Have what the report calls "practices associated with 'authentic learning'" produced any "authentic learning" in schools where they have been introduced? The report does say that the reform has not *harmed* the achievement in schools that were already doing well (a good thing!). And it offers enthusiastic quotes from students and teachers in reforming schools but no data or discussion about student performance. It talks all about process when what we want to hear about is substance.

Am I saying that Chicago's schools should show an across-the-board jump in student achievement after five years of reform? Of course not. Reforming any large institution is extraordinarily difficult. But it's ridiculous and dangerous for a report on the status of the reform to omit what should be its centerpiece—an attempt to measure progress toward the goal of improved student achievement and an analysis of what seems to be working and what seems to be failing.

Proposals for radical school decentralization are very popular now. New York City is considering a division into five borough school systems, and a number of states have or are looking at charter school proposals, which would allow people to establish free-standing public schools that are independent of local school boards and can do pretty much what they want. The jury is still out on whether decentralization in Chicago will significantly improve student achievement. But the five years of reform do illustrate one thing. When school decentralization—or any other reform—is put in place, we need to be careful that the new "owners" of the school system don't change the rules. The whole point of school reform is to have students learn more. If this doesn't happen, the experiment is a failure, no matter how happy the children, the parents and teachers—and the reformers—are.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1994 by Albert Shanker.

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